

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 6th February 1923, the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR Avargal, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

(2) The questions shall be put and answered in the following manner :—

The Secretary shall call the name of each interpellator in alphabetical order, specify the serial numbers of his questions and make a sufficient pause to allow him or any other member a reasonable opportunity of rising in his place if he is desirous of asking a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.]

Appointments by recruitment and promotion.

786 Q.—Rao Bahadur T. BALAJI RAO NAYUDU: Will the hon. the Member for Finance be pleased to state with reference to G.O. No. 613, dated 16th September 1921, and G.O. No. 658, dated 15th August 1922—

(1) whether there is a single appointment in any department in which promotion is made only by selection regardless of seniority; and

(2) appointments being of two kinds: (1) by direct recruitment and (2) by promotion, whether the effect of G.O. No. 658, dated 15th August 1922, is not to counteract the effect of G.O. No. 613, dated 16th September 1921?

A.—(1) The answer is in the affirmative.

(2) The answer is in the negative.

Appointment of a village munsif in Omalur taluk.

787 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state whether he has received a copy of the proceedings of a protest meeting of the non-Brahman public of Omalur held on the 4th January 1923 against the appointment of a village munsif in the Omalur taluk, Salem district; and if so, whether the Government will be pleased to state the action taken in the matter?

A.—The matter is one for which the law provides regular appeals; no action by Government is needed.

Location of Government lime-kilns.

788 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Minister for Education (Public Works) be pleased to state whether any petition has been received from the residents on the Poonamallee High Road, Madras, requesting the Government to take action for the immediate removal of the Government lime-kilns to a less objectionable place and what orders the Government have passed on such petitions, and whether the Government have at any time considered the question of the removal of the Government kilns from their present site and whether they propose to do so at least now on sanitary grounds to a place outside the municipal limits?

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A.—A petition on the subject from certain residents of the Poonamallee and Kilpauk divisions addressed to the Corporation of Madras was forwarded to Government by the President of the Corporation of Madras in July 1915.

Proposals to remove the Government brick and lime-kilns to a place outside the Madras municipal limits were approved in 1913 and the necessary lands were also acquired. Certain items of preliminary work have been carried out. Further progress has been retarded owing to litigation arising from the acquisition of the new site. The result of the civil suit is still awaited by Government and the removal of the brickfields to the new site will be effected as soon as the case is finally disposed of. An inquiry has shown the desirability of erecting new lime-kilns near the Madras cement works owing to the economy to be derived by burning lime as near as possible to the point where it enters Corporation limits; and an estimate for constructing new kilns at this site is now under the consideration of the Chief Engineer.

Appointment of honorary magistrates.

789 Q.—Khan Sahib A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Law Member be pleased to state whether it is a fact that the office of honorary magistrate has been conferred upon a subordinate official of the Madras Corporation in active service?

A.—Yes. It is presumed that the hon. Member is referring to the appointment of Mr. Stanley, the Superintendent of the Zoo.

Mr. A. RANGANATHA MUDALIYAR:—"There is a rule that a member of the union board may not be appointed as an honorary magistrate in the place of his jurisdiction as union member. Similarly, there is a rule for municipalities that no municipal councillor shall be appointed as an honorary magistrate within the jurisdiction of the municipality. Is not such a rule to be observed in this case also?"

The hon. Sir K. SRINIVASA AYYANGAR:—"I want notice of the question."

Provision of latrines in public offices in Trichinopoly.

790 Q.—Khan Sahib A. P. I. SAIYID IBRAHIM RAVUTTAR: With reference to my question No. 526, dated 1st September 1921, will the hon. the Member for Revenue be pleased to state—

(a) whether the subject matter of the said question has been brought to the notice of the Board of Revenue;

(b) whether the Board of Revenue has taken any steps in the matter; and

(c) whether the Government cannot place on the table the full report, and the action, if any, taken by the Board of Revenue?

A.—(a) The question put by the hon. Member in September 1921 and the answer given thereto were communicated to the Board of Revenue in October 1921.

(b) The Government have no information.

(c) There are no reports to be placed on the table,

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The Sivaganga zamindari.

791 Q.—Mr. R. K. SHANMUKHAM CHETTIYAR: Will the hon. the Home Member be pleased to state—

(1) what the cash balance in the Sivaganga zamindari was when the present Estate Collector took charge; what it is to-day;

(2) why the Estate Collector withdrew from the proposal to finance the Manamadura-Sivaganga railway notwithstanding the understanding with the Ramnad District Board; and

(3) whether it is a fact that the peshkash of the Sivaganga estate for December 1922 has not been paid in time for want of funds?

A.—(1) The Government are not prepared to furnish the information asked for in this clause which does not relate to matters of public concern.

(2) The Government have no information.

(3) No.

The RAJA OF RAMNAD :—“ I do not know why the Government say that they are not prepared to furnish the information. Previously I asked for this information and then they said the same. But on that occasion I was not present to ask a supplementary question. This is a matter of public concern. The estate is in the management of the Court of Wards. We ask for information with regard to it, and we are told that it does not relate to a matter of public concern. I do not know if the Court of Wards administration is not a matter of public concern what else would be. I want some further information in the matter if the hon. Member will be good enough to give it.”

The hon. Mr. A. R. KNAPP :—“ Is that as regards clause (2), Sir? ”

The RAJA OF RAMNAD :—“ As regards clause (1) ”

The hon. Mr. A. R. KNAPP :—“ I am afraid, Sir, I have nothing to add to the statement made there in answer to it. The Government have not the actual details as to what the actual cash balance in the zamindari was when the present Estate Collector took charge, and that is not a matter of public concern.”

The RAJA OF RAMNAD :—“ There is a great misapprehension in the minds of the people who are interested in the administration of the estate by the Court of Wards that the financial administration is not at all satisfactory, while statements to the contrary are made in certain quarters. I ask if such an unfavourable impression should be allowed to gain ground. It is for that purpose I ask that an assurance should be given that there will be no room for such an impression.”

The hon. Mr. A. R. KNAPP :—“ I am quite prepared to give the assurance.”

The RAJA OF RAMNAD :—“ With reference to clause (2), will the hon. Member be pleased to call for the information? ”

The hon. Mr. A. R. KNAPP :—“ No, Sir. I do not think there is any reason for finding out why the Estate Collector was not prepared to spend money on the Manamadura-Sivaganga railway. I can only assume that it is a matter purely for the Estate Collector.”

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Mr. V. P. PAKKIRISWAMI PILLAI :—“ Is not the Court of Wards a matter of public concern? The administration report of the Court of Wards is published by the Government for public information.”

The hon. Mr. A. R. KNAPP :—“ I did not say that the Court of Wards is not a public concern. But the details as to the actual finances of the zamindari are not matters of public concern.”

II

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The hon. the PRESIDENT announced that the Prince of Arcot Endowments Act received the assent of His Excellency the Governor-General on the 17th January 1923.

III

COMMUNICATION TO THE COUNCIL.

The SECRETARY laid on the table * proceedings of the 22nd and 23rd meetings for 1922-23 of the Standing Finance Committee of the Madras Legislative Council held on the 27th and 29th January 1923, respectively.

IV

A BILL TO AMEND THE MADRAS STAMP (AMENDMENT) ACT, 1922.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—“ Sir, I beg to introduce a Bill to amend the Madras Stamp (Amendment) Act, 1922. The Bill was published a few weeks ago for public information. It is a very small and non-contentious measure. It does not contain more than three clauses. The first clause is merely preliminary; clause 2 seeks to correct an error which unfortunately crept in in section 8 of the Amendment Act. What was therein contemplated was the amendment of sub-section (1) of section 23-A, but by an error sub-section (1) (b) was erroneously quoted. It is now sought to eliminate the letter ‘(b)’.

“ Clause 3 consists of three sub-clauses. Sub-clause (a) is merely intended for the purpose of correcting an arithmetical error, and sub-clause (c) seeks to rectify an unfortunate omission, whereas sub-clause (b) is intended to meet the difficulty arising from the absence of stamps of the denominations of three pies and nine pies which are referred to in article 5 (b) of the Schedule. I may inform the House that the Government of India have already issued their notification in exercise of the powers conferred by the Indian Stamp Act, 1899, to the following effect :

Notwithstanding anything contained in these rules, whenever the stamp duty payable under the Act in respect of any instrument cannot be paid exactly by reason of the fact that the necessary stamps are not in circulation, the amount by which the payment of duty shall on that account be in defect shall be made up by the affixing of one anna and half anna adhesive stamps.

“ One anna is intended in the case of instruments for which nine pies are prescribed and half-anna in the case of instruments for which three pies are prescribed. Stamps for nine pies and three pies do not exist at the present moment, and it does not appear economical to print and supply them to the public. It is for these reasons, Sir, that this small Amendment Bill has been introduced to-day, and I beg to move that it be read in Council.”

The hon. Sir K. SRINIVASA AYYANGAR :—“ I second it.”

The motion was put to the House and carried.

* Vide Appendices A and B at pages 1780 and 1782 infra.

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The Secretary then read the title of the Bill.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I beg to move that the Bill be not referred to a Select Committee."

The hon. Sir K. SRINIVASA AYYANGAR:—"I second it."

The motion was put and carried.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I now request the hon. the President to suspend the operation of Standing Order 39."

The hon. the PRESIDENT:—"I suspend the operation of the Standing Order."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I beg to move that the Bill be taken into consideration at once."

The hon. Sir K. SRINIVASA AYYANGAR:—"I second it."

The motion was put and carried.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I beg to move that the Bill be passed into law."

The hon. Sir K. SRINIVASA AYYANGAR:—"I second it."

The motion was put and carried.

V

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

The hon. the RAJA OF PANAGAL:—"Mr. President, I beg to move that the Bill to amend the District Municipalities Act, 1920, be read in Council. Sir, the introduction of the Bill, was approved by the Governor-General in Council, and the Bill itself published in the *Fort St. George Gazette*. Hon. Members are aware that the law at present applicable to the working and constitution of district municipalities is embodied in the Act of 1920. That Act, I need hardly say, was passed under the very best auspices of, its passage having been piloted by no less a personage than, our guide, philosopher and friend whom we of this House at the present moment have the happy privilege to own as our own President ('hear, hear'). Since the passing of this Act, there has been much water flowing under the bridge. In consequence of the transfer of the Local Self-Government to the popular part of the Government under the Reforms inaugurated by the Government of India Act of 1919 and of the coming into operation of the Acts of 1920 which liberalized the constitution of the local boards and district municipalities, the people of this Presidency have been evincing a great deal of interest in matters relating to the local bodies, so that during the somewhat short interval between the passing of the District Municipalities Act of 1920 and now, the necessity has been felt for amending the Act in various respects to tide over the difficulties which have arisen in facing the situations. Some of these amendments have already been introduced into this Council and passed. Sir, there is still need for further amendment of the Act, and the present Bill attempts on a comprehensive scale to place on the Statute Book all the amendments which are considered desirable."

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"It is not claimed that the Bill is either exhaustive or perfect. It is open to hon. Members to criticize the Bill both in the Select Committee stage and later and to add to and subtract from or otherwise change those amendments. With a view to enable hon. Members to visualise the effect of the amendments, it has been arranged to supply each Member with a copy of the Act with the amendments inserted in the sections. I am sure, by this time, hon. Members will have familiarized themselves with the various amendments, and whatever criticisms they are prepared to offer will be welcome.

"Sir, the District Municipalities Act of 1920 was passed earlier than the Local Boards Act of that year. The latter Act has provisions which are far more liberal in some respects, and the idea is to bring the provisions of the District Municipalities Act in those respects into line with corresponding provisions of the Local Boards Act. According to the Local Boards Act women are eligible to stand as candidates for elections. Provision is proposed to be introduced to enable women to stand for election even for district municipalities. Provisions are also to be introduced to enable the municipal councils to have greater powers in the matter of controlling markets and licensing of cart-stands and in dealing with cases of temporary encroachments.

"Under toll-gates some changes are to be introduced to take power to the Government to avoid promiscuous location of toll-gates, and settle disputes in sharing the toll income among the several local bodies which are entitled to share it.

"Under taxes, Sir, district municipalities will be given powers to levy the scavenging tax and make their own scavenging arrangements.

"They will also be empowered to tax non-agricultural lands on their capital value.

"Some changes have been introduced in regard to the companies tax. Under the Act of 1884 companies were taxed provisionally; but under the Act of 1920 the companies are charged according to their paid-up capital though it is open to the head office or a branch of the principal office which is not in the municipality concerned to claim to be assessed on the income provided such income does not exceed Rs. 25,000 in the year. Considerable dissatisfaction has found expression in regard to this method of taxing companies and the Government have been pleased to find out a basis of taxing the companies which would be open to less objection. It was at one time proposed to tax companies also like persons on their income, but at the instance of and after consultation with the representatives of the Chamber of Commerce and Trades Associations, Madras, it was decided to assess the tax on the turnover of the business. Whether this is a better basis for taxing companies is a matter which is open to doubt.

"I am not wedded to the amendments which have been introduced into this Bill. If in the Select Committee stage it is pointed out that there is another basis on which these companies can be taxed more equitably, I shall possibly be able to adopt that basis. Sir, now that this Bill has been introduced, I am sure that my labours in piloting the Bill will be considerably lightened by the experience which hon. Members who have actively engaged in administering local bodies will bring to bear upon the debates in the Select Committee and later stages of the Bill. With these observations I have great pleasure to move that the Bill be read in Council."

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The hon. Rai Bahadur K. VENKATAREDDI NAYUDU :—" I second it."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I want to make one or two observations before the motion which is before the House is put. It was understood that to-day and to-morrow would be devoted altogether to non-official business, and I wish to know if the permission to introduce the District Municipalities Act can be described with any reasonableness to be a non-official business. I would ask the hon. the Minister to kindly adjourn this matter to the next meeting; otherwise, Sir, I would request you permission to formally move that the Council do pass on to consider the next business on the agenda paper."

The hon. the PRESIDENT :—" Under what Standing Order is this motion made?"

Mr. A. RANGANATHA MUDALIYAR :—" I am referring to a thing which was understood to be given effect to in these two days. I know that once before a similar resolution was moved."

Rao Sahib U. RAMA RAO :—" I second the motion."

The hon. the PRESIDENT :—" The motion before the House is that it may pass on to the business next in order on the agenda paper, under Standing Order No. 34."

The motion was put to the House and lost.

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I just want to say a few words in connexion with one or two subjects referred to by the hon. the Minister for Local Self-Government. Of course, he has been kind enough to say that the whole matter will be considered in the Select Committee, and that the Government has not resolved upon any particular point. One point that I want the Select Committee and the public at large to carefully consider is about the definition of the word 'company'. I do not know if this is intended to improve the definition existing in the previous Act, or if it is intended to make matters more clear. I was told, and I am speaking subject to correction, that this definition was put in by some suggestion of some important bodies such as the Chamber of Commerce in Madras, etc. Members of the Madras Chamber of Commerce, consisting mostly of people who have got business in the metropolis, may think, so far as they are concerned, that they may not be affected by the proposed definition. But the definition is a very wide one and therefore very dangerous to the mufassal companies. First of all, it will include all the co-operative societies and stores because they come under the vague words formed in pursuance of an Act of 'the Legislature of any British possession.' I should think, Sir, that this might be made a little more definite, and that the legislatures in India might be specifically mentioned without their coming under any general category of British possessions including even the remotest islands of the West Indies. Then, if these co-operative societies, etc., come under this category of the company, we only look into this question from their standpoint. Many of these concerns, including the big store in Coimbatore which has been doing business in lakhs and lakhs with the net result that last year there was only a loss, will come under this definition and will have to pay a large tax.

"Again, Sir, according to this definition, taxes can be levied at the rate of 2 annas per 100 on every business transacted. Not only is the word 'turnover' given, but it is defined as the money value of any business done. We shall take one of our mills, and see how it will be affected by this

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definition. There is a mill where a crore of rupees worth of cotton is purchased, a crore of rupees worth of yarn is manufactured, a crore of rupees worth of cloth is manufactured, and a crore of rupees worth of cloth is sold. According to this definition, which includes the manufacture, purchase or sale under the term 'business done', the company will have to pay for four crores, viz., Rs. 50,000, whereas if only the sale is taken as the basis, the company will have to pay Rs. 12,500. Many of the companies are doing banking business. I do not know what the result will be if the Imperial Bank in Madras or Messrs. Parry & Co. are assessed in the manner proposed. The Imperial Bank with 10 or 15 branches in Southern India is doing a very great amount of business by way of cashing cheques. These banks only receive a small commission of 4, 3 or 2 annas and in some cases even one anna. If the definition of the business will include the cashing of cheques, even though the Bank may get only one anna or two annas by way of commission for cashing such cheques, a tax of two annas per hundred will be levied from them. So, Sir, this is a tremendous matter to which many companies will have to succumb. There is no reason at all why a company registered under the Companies Act and therefore subjecting its accounts to audit and other things, should be taxed in this way, while companies not registered and subjecting their accounts to no audit will not come under this Act and will be subject only to the profession tax. It may be, Sir, that some people feel shy to tell the public as to what their net profits will be. There is absolutely no difficulty at all so far as this Bill is concerned to levy from such companies a tax on their net profits.

11-30 a.m. "So far as the net profits are concerned, there will be no difficulty at all in the case of registered companies, because every registered company, private or public, is bound under the Companies Act to furnish details once a year by way of the balance sheet and the profit and loss account which will necessarily show the net profit. Therefore, nobody need feel shy of the public knowing or at least the municipalities or taluk boards knowing what this will be. Therefore, from the point of economy, from the point of public utility and from the point of finance, it is desirable that this definition of company should be taken away from the Bill and that some better method of easily reckoning the profit or the capital value should be introduced. This is the main point which I wish to draw the attention of the Council to.

"One other point I wish to refer to and that is about the scavenging tax. Hitherto scavenging fee has been collected only from the tenants. We know, Sir, the difficulties to which a landlord owning a number of houses in a municipality will be put to. It may be that the tenants come and go; sometimes there may be no tenants in the house. Provision is made in the present amending Bill empowering the municipalities to exempt particular buildings from the payment of scavenging fees if they are satisfied that arrangements are made for private scavenging. Supposing one tenant who is living in the house for a few months makes satisfactory provision for private scavenging and supposing his successor does not make any such arrangement, then what is to be done with regard to the scavenging fee? Is the owner to be called upon to pay it? Till now this fee is being generally collected from the tenants living in the house. This is also a matter which should be carefully considered by the Select Committee. There are several other matters which require to be carefully gone into. We are very thankful to the hon. Minister in charge of the Bill for saying that the Bill before it emerges from

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the Select Committee will not be confined only to the amendments shown in the amending Bill, but that permission will be given to the Select Committee and even to this Council for suggesting such other amendments as may be considered necessary."

The hon. the PRESIDENT :—" Am I to understand that the hon. Member, Mr. Venkataramana Ayyangar, says that it will be open either in the Select Committee stage or in the Council to take up ground not covered by the amendments introduced in the amending Bill now before the Council? "

MR. C. V. VENKATARAMANA AYYANGAR :—" Yes, Sir, I understood the hon. the Minister to say so."

The hon. the RAJA OF PANAGAL :—" Any further amendments that may be considered necessary in regard to a particular amendment can be discussed in the Select Committee or even in the Council."

MR. C. V. VENKATARAMANA AYYANGAR :—" Supposing an hon. Member considers an important change to be necessary, then although it is not covered by the present amending Bill, I wish to know whether such an amendment should not be made in the Select Committee."

The hon. the PRESIDENT :—" I had better say now clearly that any attempt in the Select Committee stage to go beyond the scope of the Bill would be out of order."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, if the Select Committee considers that other amendments to certain other sections are necessary, or if it considers some amendments to be desirable in consequence of the amendments now proposed by the hon. the Minister, then I should like to know whether it would not be open to the Select Committee to introduce such other amendments as it may consider necessary. I understand that the scope of the present amending Bill is a general revision of the District Municipalities Act. I therefore respectfully submit that it would be competent both for the Select Committee and the Council to introduce amendments to sections other than those mentioned in the Bill now introduced."

The hon. the RAJA OF PANAGAL :—" Sir, I understand that in the House of Commons the Select Committee can not only improve the amendments the Bill referred to it proposes to introduce but also introduce new amendments. What however I meant when I said that there would be opportunities for members to amend further, was that the hon. Members could, if they found it necessary, introduce amendments which would have a bearing upon the amendments proposed in the Bill."

The hon. the PRESIDENT :—" The hon. Member Mr. Ramachandra Rao Pantulu has referred to two classes of amendments. Firstly, those amendments which, though they do not directly deal with the particular sections, are really connected with the amendments contained in the present amending Bill, and, secondly, those which are quite independent. The first class of amendments will be quite in order, but the second class will be out of order."

The hon. the RAJA OF PANAGAL :—" I respectfully submit, Sir, that I am not quite so sure that the second class of amendments will be quite out of order."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" May I respectfully point out, Sir, that the hon. Minister, while introducing this Bill, said that he

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was contemplating a general revision of the District Municipalities Act? He wanted by this amending Bill to undertake a general revision of the District Municipalities Act."

The hon. the RAJA OF PANAGAL :—" I have already said, Sir, that the Bill is neither exhaustive nor perfect."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I did not ask the hon. Minister whether the Bill was exhaustive or perfect. I only said that the hon. Minister undertook a general revision of the whole Act by introducing this amending Bill."

The hon. the PRESIDENT :—" Anyhow we need not pursue the matter any further now. I simply wanted to make it clear that if amendments wholly unconnected with the scope of any of the changes made in the present Bill are introduced, then there is the contingency of their being ruled out of order."

MR. C. V. VENKATARAMANA AYYANGAR :—" I do not think I shall be out of place here to point out one or two important omissions. No doubt the hon. Minister and his advisers are to be congratulated for having gone very carefully into the Bill and brought forward all possible amendments. Still, I must say that one or two important points have been omitted from the amending Bill. In the list of licences to be issued half-yearly to animals, there is reference only to a male buffalo; but when tolls are to be paid for animals that come into a municipality, there is reference only to a buffalo. Hon. Members are aware that there are several people who own only she-buffaloes and they cannot take licences because there is no reference to she-buffaloes in the list of animals for which licences can be taken. There are several poor ryots who live inside the municipality owning at the same time lands outside the municipal limits and whenever they take their she-buffaloes to the fields and come back they are obliged to pay tolls. Thus, they are called upon to pay tolls all the year round, in fact for all the 365 days. Indeed it is very hard for the poor ryot to be paying tolls every time he takes his animal out. I think this is an important point which needs attention at the hands of the Select Committee. There are several minor points like this and I simply make mention of these, so that the Select Committee may go carefully into all these matters and bring forward a more satisfactory Bill. With these few words, I support the introduction of the Bill."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I do not wish to go into all the details of this Bill; but I wish to draw the attention of the House to one or two important points. Clause 74 of the amending Bill seems to invoke the provisions of the Criminal Procedure Code for the recovery of taxes in addition to fines. I think, Sir, the machinery of the Criminal Procedure Code should not be made applicable for recovery of municipal taxes. The present position is that if a man does not pay taxes, he is prosecuted and a fine is imposed upon him. To that extent certainly there is no objection for invoking the aid of the Code of Criminal Procedure; but this might, in some eventualities, be made the instrument for the collection of municipal taxes also. I do not think it is fair to extend the provisions of the Criminal Procedure Code for collection of taxes also. This matter deserves to be examined by the Select Committee.

"The second objectionable point is this: scavenging fees are sought to be collected from all persons who own private latrines in municipalities irrespective of the fact whether they require municipal scavenging service or not.

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The objection to the levy of this tax is obvious. Hitherto the policy of the municipal administration in the Madras Presidency has been to regard scavenging service as a service to be rendered to those who desire it. But I am not prepared to accede to the principle that scavenging tax should be imposed on all persons irrespective of the fact whether they want municipal scavenging service or not. Knowing as we do the defective character of scavenging service in several municipalities, it seems to me to be highly desirable to encourage persons to make their own arrangements for private scavenging service. We should not ask people to pay for services which they do not want. At the same time, I know, Sir, that there are several municipalities in Northern India which impose this scavenging tax on all persons; but we are not quite so advanced, and our Presidency need not copy those municipalities in this respect. These are the two matters of principle, and I beg to suggest that they should be carefully examined by the Select Committee. I for one am opposed to both the principles embodied in the Bill.

"As regards the ground covered by my hon. friend Mr. Venkataramana Ayyangar in regard to the companies, I for one would not hesitate to make as much as I can by way of municipal revenues from companies which are making their profits in municipal areas."

The motion that the Bill to amend the Madras District Municipalities Act be read in Council was put and carried.

The Secretary then read the title of the Bill.

The hon. the RAJA OF PANAGAL:—"Sir, I beg to move that the Bill be referred to a Select Committee consisting of the following hon. Members:—

The hon. Rai Bahadur K. Venkatarreddi Nayudu.	Diwan Bahadur K. Suryanarayanamurti Nayudu.
Rao Bahadur A. P. Patro.	Mr. C. E. Wood.
Mr. Abbas Ali Khan.	" C. V. Venkataramana Ayyangar.
Khan Sahib Munshi Muhammad Abdur Rahman Sahib Bahadur.	" C. Venkataranga Reddi.
Mr. K. Audinarayana Reddi.	" A. X. G. Campbell.
Rao Bahadur T. Balaji Rao Nayudu.	Diwan Bahadur Sir T. Desika Achariyar.
A. S. Krishna Rao Pantulu.	Mr. E. F. Thomas.
Mr. A. M. MacDougall.	" C. P. Ramaswami Ayyar (<i>Advocate-General</i>).
Rai Bahadur T. M. Narasimbachari.	Mr. G. Vandanam.
Rao Bahadur C. V. S. Narasimha Raju.	Rai Bahadur N. Gopalaswami Ayyangar.
Mr. C. Ponnuswami Nayudu.	Mr. Ahmad Miran Sahib.
The Raja of Ramnad.	" A. D. M. Bavotti Sahib.
Rao Bahadur T. A. Ramalinga Chettiyar.	The mover (the hon. the Raja of Panagal).
Diwan Bahadur T. N. Sivagnanam Pillai.	

"Sir, I also propose to nominate Mr. Murray as one of the Members of the Select Committee. He has not yet taken the oath of allegiance, but I suppose you will permit me to add his name in the list later on."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU seconded the motion.

The hon. the PRESIDENT:—"The election of members to the Select Committee is confined to the Members of the Council and, as such, a gentleman who is not a member of the House cannot be appointed."

The hon. the RAJA OF PANAGAL:—"Then I shall not make that suggestion now."

The hon. the PRESIDENT:—"Before putting this motion to the House, I wish to inform the Council that in the old Council there was a rule fixing the time-limit within which the Select Committee should submit its report. I wish to know if there is any chance of this Bill being taken up before the next meeting."

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The hon. the RAJA OF PANAGAL :—" No. Not in the next meeting, Sir, but later on after the recess."

The hon. the PRESIDENT :—" After the voting of demands for grants ? "

The hon. the RAJA OF PANAGAL :—" I do not think it will be possible to finish it by that time."

The hon. the PRESIDENT :—" Mr. Gopalaswami Ayyangar is, I believe, sitting here as an expert Member of this Bill also."

The hon. the RAJA OF PANAGAL :—" Yes. I have also included his name in the Select Committee."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Is it not necessary, Sir, that he should take the oath of allegiance in order to enable him to sit as a Member in connexion with this Bill also ? "

The hon. the PRESIDENT :—" We shall consider that point later on. In the meantime, if Mr. N. Gopalaswami Ayyangar wishes to vote on any motion, the hon. Member may raise a point of order, and we shall consider then."

The motion that the Bill be referred to a Select Committee was put and carried.

VI

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920

The hon. the RAJA OF PANAGAL :—" Sir, my observations in regard to the Madras District Municipalities Act Amendment Bill generally apply to this Bill also. I do not wish to take up more of the Council's time. With these few words, I move that the Bill to amend the Madras Local Boards Act be read in Council."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU :—" I second it."

The RAJA OF RAMNAD :—" I only wish to say a few words before I express my support to the Bill which the hon. the Raja of Panagal has introduced. The Bill provides for direct election for members of district boards, and it will be within your recollection, Sir, that when the Act of 1920 was passed I agitated for a provision of this kind, but it was thrown out owing to the peculiar composition of the then Council. Therefore, Sir, it is with particular pleasure that I welcome this Bill with reference to the question of direct election.

" There are certain other matters which require very careful consideration. For instance, the new provision sought to be introduced in place of the present section 31 (c) is one by which powers are taken to issue rules with reference to preservation of order. I do not know, Sir, if any such power is necessary, for the preservation of order is a matter common to all public meetings. I really do not understand what kind of rule the Government wish to issue in this matter, but I suppose the matter will be discussed in the Select Committee. I simply wish to say that this is a very serious amendment.

" Another matter is with reference to residence. I think sections 52 (e) and 56 (g) of the present Act deal with that question. One gentleman became a member of the Taluk Board of Ramnad, subsequently he became a member of the District Board of Ramnad and then he was nominated as a member of the Madura Municipal Council. I was told that there was nothing against this gentleman being a member in these three bodies. Added to this,

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he has since become a member of the Madura taluk and district boards, so that one gentleman is a member of four local boards and of a municipal council. Of course, the fact that Madura is the headquarters of two districts may, to some extent, account for this. But another section which requires that the residences of members should be within three miles' radius will affect this matter. I feel, therefore, that this provision will have to be looked into very carefully and worded in such a manner as to avoid such complications.

"Another provision is with reference to the restoration of members who have not attended three meetings consecutively. The present Act lays down that if a member does not attend meetings for three months, he shall cease to be a member. According to the amendment proposed a member who has lost his seat must apply within fifteen days from the cessation of his membership. It will be really difficult for a member to know on what particular date he had ceased to be a member. Power has been given to local bodies to meet once in two months and if a member ceased to be present in the three months when meetings were held once in two months, he may not have the knowledge of his membership having ceased to apply for restoration. I think, in practice, this provision would work a great hardship. I fail to see the necessity for this innovation. At present, at the meeting following the date on which the member's vacancy occurred, we consider this matter and if we then find that his absence was due to causes beyond his control, we always condone his absence and restore him to his membership. That rule has not in any way proved to be disadvantageous. Therefore I should think that the innovation suggested is not only not necessary, but will also create difficulties.

"With reference to the question of toll-gates, the hon. the Minister when dealing with the amendment to the District Municipalities Bill said that powers have to be taken by the Government to regulate the toll-gates. I can understand Government taking powers to regulate toll-gates in borders or in places where the adjacent bodies like municipalities may have toll-gates; but to take power to decide, even in the case of gates which are situated in the interior, whether a particular gate should be in existence or not, is, I think, very unreasonable. I think it is absolutely confiscating the powers of local bodies. I am sure that local bodies would resent such an interference from the Government. Therefore, there is no justification for the Government to take such a power. In all cases of internal administration, as, for instance, in the matter of licensing, I have had very bitter experience and different opinions are being expressed by different authorities with reference to sections 166 (1) and 166 (2). The hon. the expert Member Mr. N. Gopalaswami Ayyangar knows the difficulties that crop up. The District Magistrate would like to have one opinion, the Secretary to Government would like to have another opinion and the opinion of the Inspector of Local Bodies may differ from both. I do not know if any president of the district board has suffered as much as I have done in this matter. Sometimes the controversy has reached so far as to lead to personal misunderstandings. Therefore, Sir, this provision should be made clear as to whether a president of a district board is or is not under section 160 (1) to issue licences before bylaws are confirmed. The Government, I am unofficially informed, have issued instructions in the case of one district board, but they have not issued instructions in the case of others. There is uncertainty about this and owing to this uncertainty many difficulties are created. On one interpretation

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several companies have been fined by certain magistrates which on a different interpretation have been discharged by certain other magistrates. Therefore, I strongly urge that the Select Committee and the hon. the Minister for Local Self-Government should consider this in all possible aspects and so word the sections that their application may not create serious difficulties at least in future.

"I have nothing more to add, but to give my whole-hearted support to the Bill."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"When I rise to support the introduction of this Bill, I wish to point out that it need not be a comprehensive Bill to amend the Local Boards Act. It is clear in the opening sentence of the Statement of Objects and Reasons.

The main object of this Bill is to remove the difficulties that the experience of nearly eighteen months of the actual working of the Madras Local Boards Act, 1920, has brought to light.

"The Bill for amending the Local Boards Act as in the case of District Municipalities Act has been under contemplation for some time. If hon. Members have not thought fit to give notice of their amendments, it is because they believed that either the Bill will be introduced in a comprehensive form or that opportunities will be given to them for bringing in their amendments in the course of this Bill. If the Bill goes without amendments being inserted in it, it will lead to confusion and give rise to other difficulties. If at the same time the Bills are introduced by Government, the Members should be given sufficient opportunity to make amendments in the first instance whatever may be their final form.

"So far as the explanation of the Bill is concerned I do not wish to take the Council into the details of its various provisions; I shall confine myself to one or two important changes which have been introduced. So far as the question of direct election is concerned, when this was debated, the House expressed itself in favour of direct election and very properly amendments have been introduced to carry out the intentions of the hon. Members of this House. I wish particularly to draw the attention of hon. Members to some changes which have been contemplated in section 199 of the Act, the section which deals with the rule-making powers of the Government. Clause 49 of the Bill states :

(d) *After clause (q) (of section 199 (2)) the following clause shall be added :*

"(r) as to the mutual relation of district boards, taluk boards and union boards and of their presidents and as to the matters in regard to which and the extent to which

- (i) the resolutions of a taluk board or the orders or acts of the president of a taluk board shall be subject to appeal to or revision by the district board or its president, and
- (ii) the resolutions of a union board or the orders or acts of the president of a union board shall be subject to appeal to or to revision by the district board or taluk board or the president of the district board or the president of the taluk board ;
- (s) for regulating the sharing between local authorities in the Presidency of Madras of the proceeds of the tax on companies, profession tax and tolls ;
- (t) as to the principles according to which the business turn-over of companies shall be ascertained for purposes of assessment to the companies' tax."

Clauses (s) and (t) deal with other matters for regulating the share of local bodies in the Presidency of the proceeds of the taxes on companies, etc.

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"There is no objection so far clauses (s) and (t) are concerned.

12 noon. "Coming to the changes which are contemplated in clause (r) I should think, Sir, that the suggestions are of a somewhat retrograde character. We have all along been advocating a system whereby the local bodies should be made more self-reliant and autonomous, whereas this recommendation has the contrary effect. It will be found that, notwithstanding the liberal provisions of the Act to which the hon. the Minister referred while introducing the Madras District Municipalities Amendment Act, there has been a persistent complaint all-round that under the rule-making powers of the Government they have restricted the freedom of action of these local bodies to a substantial extent. This position is fairly clear from the various resolutions which have been passed at the local and municipal conferences held throughout the Presidency. Under the auspices of the Government and with their permission, conferences were held in six of the groups in 1921 and also in 1922. A mere glance at these resolutions will show that there has been a uniform complaint both from the municipal councils and from the local boards that their powers have been restricted by means of the rules framed under both the Local Boards and District Municipalities Acts, whatever might have been the original intentions of the framers of those Acts. I wish to point out that this Bill does not do anything so far as that section is concerned, but adds to the difficulties which may crop up in the way of these local bodies, the taluk boards and the union boards exercising their functions. Sir, I am aware that in introducing these provisions the Government were only actuated by some of the difficulties pointed out by certain presidents of local boards and possibly also of district boards. I am aware that it was upon the representations made by some of those presidents regarding the difficulty they experienced in carrying on the work either through the taluk board or the union board that these provisions were introduced in this Bill. But, Sir, I will point out that that by itself is not a circumstance which should militate against the wholesome principles which we have all along accepted in the working of this Bill. If rules have to be framed as contemplated in this new clause, I am afraid that they will seriously hamper the working of the taluk boards and the union boards.

"It will not be out of place if I take this opportunity to inform this House that, while we were at Vizagapatam at the Local and Municipal Conference, a complaint was made which I hope we who have something to do with the local bodies cannot afford to lose sight of, viz., that the presidents of the local bodies were becoming more autocratic, that some of the presidents of district boards had become more autocratic or bureaucratic than some of their predecessors. This complaint was made and it is as well that we take note of that fact and guard against such complaints. We have been trying to work these institutions on purely democratic lines, and notwithstanding difficulties which must arise, and notwithstanding differences of opinion which must exist, we must so shape these institutions as to make them more autonomous and more self-reliant than at present. I am making all these observations at present because I think and I hope it will have the support of other presidents also here; we must not do anything which will in any way hamper either the taluk board or the union board in the exercise of its discretion. I again appeal to the hon. the Minister that, in finally seeing this Bill through, he should rather see his way to cut out much of the

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provisions of the rule-making power of the Government. The day when he will earn the undying gratitude of the people of this country will be when he will give a real measure of self-government to these local bodies. And he will do it not by passing rules under section 199 so as to restrict them from exercising their powers, but by making them more liberal and by increasing their powers. With these remarks I support the introduction of this measure."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I am in entire sympathy with my hon. friend Mr. Krishna Rao; but I differ from him fundamentally. I am afraid he was rather eloquent in support of the principle of democracy, but he failed to see that there is no provision under the new Act for co-ordination between the boards and unions. Each has been taking the bit in its mouth and running its own way, and I am afraid there has been a good deal of loose organization in the district board administration, in the taluk board administration and in the union board administration. I may mention one or two facts. A taluk board president in my district found that the clerk of a union was running the union. The union chairman was a mere cipher. He wanted to transfer that union clerk to another place and to put in a better man in that place. The union chairman and the union board refused to transfer him. The matter was reported to the district board. The district board president requested the union chairman to obey the orders of the taluk board president; and yet he would not do it. Then the matter was reported to the Government. Government said that the order of the taluk board president should be obeyed, but the union chairman has not obeyed it till now. That is democracy; and that union board is run by a union gumasta and not by the chairman.

"I shall give you another instance. The Gooty Taluk Board imposed education cess in one taluk and refused to impose it in another taluk. That was a position which we cannot alter; but they refused to levy the cess in one taluk while all the other taluks, eight in number, were paying it. Now, the result is that all the elementary schools in that taluk will have to be closed. The people say 'We won't pay it', and we are not able to insist on the tax being levied there. It is all very nice to talk eloquently of democracy. Some of the people elected have been of the most unsatisfactory character and we cannot carry on the administration satisfactory to the people concerned.

"I think some rules have to be framed in order to bring about co-ordination between board and board and a healthy control over local bodies and their executive in a district. I expect that presidents of district boards will be very reasonable men with a sense of responsibility and at the same time with a love for public work, and I do not think they will be so bureaucratic, autocratic and all that sort of thing as our friends apprehend. Rules have to be made for guiding and controlling the minor bodies in a district, and I only wish the hon. the Minister will see that the boards are not unduly trammelled by revenue officials."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Why not?"

Diwan Bahadur P. KESAVA PILLAI:—"My friend here says 'Why not?' When he happens to be the President of a district board, he will see the effect of it."

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Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, as my friend has done me the honour of referring to me, I may only point out that everything he has said to-day is the very negation of the principle of self-government. When my friend referred to the revenue officers not being wanted and to getting rid of them, certainly I said why he should be so anxious to get rid of one kind of officials and to set up another in the taluk boards and union boards."

Diwan Bahadur P. KESAVA PILLAI :—" What I meant to say was to introduce non-official control."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Why, why ?"

Diwan Bahadur P. KESAVA PILLAI :—" Because I expect men like you will be patriotic enough to consider questions broadly and not from any narrow point of view and that your thoughts will not run merely through a particular groove."

Mr. A. RANGANATHA MUDALIYAR :—" The speaker should address the chair."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Sir, the Bill proposes to do away with some of the principles that are embodied in the present Act. As one who has been long associated with local self-government, and as one who has taken some part in the shaping of the present Act under your distinguished presidency, Sir, I feel it my duty to support those principles and show the main idea that underlay when those principles were engrafted. The main idea, I may be permitted, Sir, to mention, was that all control must come from within the electorate and not from without. Previous to the Act of 1920 the union boards were mere agents of taluk boards. They were placed on an autonomous basis with well-defined functions of their own and with their own revenues, and the element of election was introduced in the hope that in important villages the principle of local self-government would be well inaugurated and all necessary control that might be necessary in running these bodies on a satisfactory basis would come from within, I mean from the electorate. Sir, it is now too early to say that that experiment has not been successful, and if there are any failures here and there, the real remedy lies not with the Government, nor with the taluk board or the district board. We shall have to see how the electorate will receive the changes. If the electorate is satisfied, it is well and good. But if it is not satisfied with the way in which the management of these union boards is carried on by the elected president and the members of the board, most of whom are also elected, if the electorate is not responsive to the good management of the union, perhaps the question may be examined. My first submission, therefore, is that it is too soon. As far as my personal experience goes, I shall be very strongly in favour of supporting autonomous bodies for the taluk boards as well as the union boards. Sir, we have hitherto been fighting against the paid bureaucrat, and now I find, instead of the paid bureaucrat, we have to fight against the honorary bureaucrat."

Diwan Bahadur P. KESAVA PILLAI :—" He is himself a District Board President, Sir, and evidently he is exercising that power."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" I was saying in my preliminary remarks, Sir, that I was associated with that for a long time,

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When I said that, I meant that the two previous speakers were not so long acquainted with it as myself. My connexion with the taluk board began in the year 1912."

Diwan Bahadur P. KESAVA PILLAI:—"My connexion began in 1884" (laughter).

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Surely, Sir, his connexion began as a member and not as a bureaucrat. So, I entirely endorse the views expressed by Mr. A. S. Krishna Rao in maintaining the autonomous nature of these local bodies at least for some time more so as to have a better experience of the working of these bodies.

"Now, Sir, it has been stated that the provision relating to the tolls is uncalled for. I may be permitted to remind the House that 12-15 p. m. under the rules that were in existence under the old Act Government had full control over the location of toll-gates wherever the distance was less than twenty miles. They had full power to settle the contributions between the local bodies. These are not to be found in the present Act and the present amendment wants only to reduce further trouble. It may be noticed that the district board will have power to locate the toll-gate wherever it pleases. Similarly the municipal council will have power to locate the municipal toll-gate within its limits. It may so happen that the distance between the two is one mile or less than one mile. Pending the disposal of the dispute between the two bodies, the public will be made to suffer. In such cases Government should have full power to adjust matters between the local bodies. Some general principles may be laid down under the rule-making powers.

"It has been complained that a single member has to be a member of the various bodies. I may be permitted to say that he may be a member of the Madras Corporation. The idea under the present Act is that a person should have a house and he need not actually live. Men may own residence at various places and have intention to live there. Such men will have their franchise. I personally do not see any objection. If a member is public spirited enough to find time to serve on the local bodies, no objection should be taken to that. Under the present amendment, the membership shall cease. The only difficulty is who is to take the initiative? Is it the president or the person himself? The new provision makes it clear that it is the duty of the member, if he wishes to continue as a member of the board, to put in an application that he may be accepted and restored as a member. That is the main principle of the amendment and of course as to the period within which he may be restored it may be either 15 days or one month. I may be permitted to state that this control that is to be exercised by the local bodies becomes all the more objectionable when we read section 199 with the provision relating to the election of district boards. It is contemplated under the Bill that the district board should contain members entirely out of the taluk boards. When that is the case, it becomes all the more objectionable. The submission of the taxation proposals by the taluk boards to the district board for its approval is, I think, a sufficient safeguard. I think we need not go beyond that and try to control the resolutions of taluk boards by obtaining the approval of the district boards. Now, Sir, in the matter of establishment, except in the case of the Health Officer and the District Board Engineer, it is laid down under the present Act that the local board shall have complete freedom to have its own establishment. Now, Sir, it is attempted under the provisions of this amending

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Bill to curtail that power and revert to the old system. I think this is an objectionable feature and requires further consideration in the hands of the Select Committee."

Rao Bahadur T. BALAJI RAO NAYUDU :—" Mr. President, Sir, I wish to make a few observations regarding the measure under discussion. From what I understood in the course of the discussion it seems that nothing which does not concern the amendments proposed should be brought in in the Select Committee. That being so, I do not think any useful purpose will be served by my dwelling on those points. However, I may be permitted to mention one or two points which must attract the attention of all concerned. Everyone of us wished to have these local bodies as independent and autonomous as possible. Everyone in the district board including the hon. Member Mr. C. V. S. Narasimharaju is feeling that there is some control over the district board."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" I do not feel."

Rao Bahadur T. BALAJI RAO NAYUDU :—" The district board is controlled by the Government, and so any communication from the district board is taken very seriously. But in the case of the taluk boards and the unions there is no response and they do not care to attend to the communications received from the district board. For instance, I may say that the figures required for the administration report have not yet been received in my district and the president of the district board is unable to do anything without them. That is a matter which I think requires the consideration of the House and I am not sure if the amendments brought forward include that."

"The second point is one of greater difficulty. In the old Act there was a provision to the effect that all persons in the employ of Government performing any executive or ministerial duties in carrying out the purposes of the Act should contrive to discharge such duties unless and until the Governor in Council otherwise directed. In the present Act this provision is omitted. Though gentlemen who urged the advancement of self-government did not want to be guided by Collectors and divisional officers in the matter of carrying on administration, I think we ought to have the help of the subordinate staff. Matters have come to such a pass that the tahsildar says it is not his duty, the village munsif says it is not his duty and even the vettians who beat tom-tom have received distinct orders that they need not comply with the requests of the local bodies. The result is that the local bodies have to engage all these officers including the vettians. I think it will be a waste of public funds to employ all this subordinate agency, and it is quite necessary that the provision contained in the old Act should be inserted in the new Act. The local bodies must be helped to some extent at least. It is very difficult to carry on administration—as a matter of fact, it will handicap the administration—unless the local boards spend a good deal on these matters."

"There is some difficulty with regard to the delegation of powers. I do not think my explaining the details will be of any use. Clause 23 has not been touched by the amendment."

"So also with regard to the provision for calling for records. The toll-gates question is another important matter. I do not think that the amendments are quite sufficient. There is a tendency on the part of the members

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of the district board, as far as my experience goes, to reconsider the subjects which have already been settled. Once in a year, any member can bring in a resolution, and of course if the resolution is carried by the majority, the gate has to be closed. If we are to allow that kind of business for the purpose of allowing self-government to go on, I am afraid all the toll-gates will be starved. To avoid that tendency I want to bring a proposition that we may tax carts throughout the district. In the Act as it is, there is no provision to charge the carts whether they pass through the gates or not. With these remarks I support the motion."

Mr. T. ARUMAINATHA PILLAI:—"I move that the question be now put."

The motion for closure was put and carried.

The original motion was then put to the House and carried.

The Secretary then read the title of the Bill.

The hon. the RAJA OF PANAGAL:—"I now move, Sir, that the Bill be referred to a Select Committee consisting of the hon. Members who constitute the committee appointed in connexion with the other Bill."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU:—"I second it."

The motion was put and carried.

VII

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The Council resumed consideration of motions on matters of general public interest.

Committee to investigate into grievances of ryots in respect of forest reserves adjoining villages.

Mr. B. MUNISWAMI NAYUDU:—"Sir, I beg to move—

48. *That this Council recommends to the Government that a committee of which not less than two-thirds shall be non-officials be constituted for each district to investigate all cases where forest reserves lie within a mile of either the village-site or the cultivated area of a village and to make recommendations to Government suggesting either the disafforestation of such areas or other suitable action to be taken to redress the grievances of ryots.*

"Sir, the House will remember that last year, in August, a resolution was passed that all forest areas lying within a mile from the village or cultivated area should be disafforested. That resolution was not accepted by the Government, and a Government Order was issued in the following terms:

The Government are unable to accept the principle that proximity to occupied areas within one mile, *as such*, should justify disafforestation. Where specific instances are brought to notice, and it can be shown *prima facie* that proximity causes hardship, the Government will be ready to institute the necessary inquiries and give redress if possible. One form of redress which in such cases may be considered will be to convert forest areas in proximity to occupied areas into (class V) panchayat forests, provided that the nature of the forest and the general conditions and general interests of the people justify this change.

"Sir, this House made it clear in accepting the resolution last year that the proximity of these reserves to villages and to occupied land itself constituted a source of grievance to the people, and by reason of the contact it was possible for the forest subordinates, who even according to the Fores:

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Committee's report are notoriously corrupt to do any amount of evil to the people. But the Government say that as such it will not constitute a grievance, that it will be open to anybody to bring to the notice of Government specific cases and that then the Government will deal with them. My case is that proximity itself has been the main source of grievance to the villagers. It is clear from the recommendations of the Forest Committee which was appointed in 1912 under the presidency of Mr. Horne and of which two hon. Members of this House—Diwan Bahadurs Ramachandra Rao and Kesava Pillai—were also members. At page 36 of the report—paragraph 19—it is stated :

(1) Whether the existing system of charging fees for grazing affords ground directly or indirectly for any legitimate grievance and if so, of what nature?

The grievances are numerous. They are mostly due to the proximity of the less valuable reserves to villages and cultivation, and to the insufficiently supervised contact of the minor Forest establishment with the villagers.

In no ambiguous terms, they say that many of the grievances of the people are due mostly to the proximity of these reserves. Then, I may also draw attention of this Council to the other findings in that report. On the same page, it is stated :

(2) Whether the cattle of ryots in villages in the neighbourhood of a forest should or should not have preference over other cattle in the matter of grazing?

The committee are of opinion that they should.

(6) What measures should be taken to limit the cattle admitted to graze in a forest to such a number as can be grazed without causing progressive deterioration of the forest?

The forests should be classified as suggested by the Committee. In class 1, mostly distant cattle will be grazed, and it is easy to limit the number to be allowed at each camping place. In class 2, the limitation must be fixed by the departmental officers, but the limited number of permits may be distributed by village panchayats. In class 4 the grazing of the area in its village limits may be assigned to a village for a fixed payment.

Thus their recommendation is that grazing must be assigned for fixed definite payment. They continue :

If the village cattle exceed the possibility of the area, the limit must be laid down by the department and the village panchayat must select the cattle to be admitted. In class 5, as a rule limitation need not be compulsory, but it is hoped that in many parts, the villagers themselves will enforce it.

(8) In areas where there are small and scattered reserves should they be retained or be handed over to the Revenue Department or to the villagers?

As a rule such reserves should be entrusted to village panchayats for a fixed payment but they should not be disafforested.

Thus we find that in 1913 when the whole question was investigated, the committee were definitely of opinion that the only way of removing the various grievances which by reason of the proximity of these forest reserves the people were liable and subject to, was that in the case of many of these reserves, they should be handed over to the villagers for a fixed definite money-payment and in other cases the matter should be left to the discretion of the villagers as to the number of cattle that graze and so on. But what do we find? There is the universal rule that only permits will be issued; and they are issued by the Forest department—by forest rangers. There is no definite fixed payment taken from the villagers. The Forest Committee also advised that panchayats should be constituted and as far as possible association of people for whose benefit these forests are intended and for whose good the Government proclaim from house-tops as loudly as they can that

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the Forest department is managing these forests, should be encouraged in the management of the forests. We find that from 1913 to 1921 a period of eight years has elapsed and not even 40 per cent of the last class—class V—have been handed over to forest panchayats. A schedule is appended to the report by Mr. Bles, who was put on special duty and we find that the total area of class V forests is about 720,000 acres. Of these only 315,000 acres have been put under panchayats. Of these 720,000 acres, one-fourth of it, that is, 180,000 acres alone are in one district, viz., Chittoor, and the rest in the other districts. The area in Chittoor is a very large one and yet not even two panchayats exist with a few hundreds of acres, and who is responsible for this? The Government have not been able to constitute the panchayats. No doubt, they say 'panchayats have been tried in particular areas and were not found successful.' Last year, I quoted the opinion of Mr. Galletti, the then Collector of Chittoor, on the system of panchayats in that district. He said that the statement was not true and that the forest panchayat experiment should be continued. My complaint in this House is that there has been no sincere desire on the part of the Forest department to carry out loyally the recommendations of the Forest Committee. This was a committee presided over, as I have already said, by Mr. Horne and of which two hon. Members of this House were also members.

"Then, Sir, last year, the Government came out with a proposal to constitute a special establishment for these panchayats. There was then a Government Order saying 'let us not try it in all the districts but let us try it in only a few' and they appointed one officer and six panchayat inspectors. We find that while there was one-fourth of the area as I already mentioned, in the Chittoor district alone, one panchayat inspector was posted both for Chittoor and Cuddapah districts and when I drew the attention of the Chief Conservator of Forests to this fact, I was told 'you had better mind your business. I know how to arrange these things.' I believe it is the duty of this House to bring to the notice of the Government that the way in which these things are arranged is anything but satisfactory. In these circumstances, being practically in a desperate mood that there is no chance of panchayats being constituted in a reasonable time and seeing that the recommendations of the Forest Committee have not been given effect to, I now come with this proposal for the appointment of a committee in each district, so that at least in the administration of these forests, the people concerned might be associated, their grievances might be known and steps taken to see that these grievances are redressed. In this resolution, Sir, I suggest

That a committee of which not less than two-thirds shall be non-officials be constituted for each district to investigate all cases where forest reserves lie within a mile of either the village-site or the cultivated area of a village.

As I have already stated, Sir, the Government Order not accepting the resolution passed by this House says that

where specific cases are brought to notice, the Government will be ready to institute the necessary inquiries and give redress if possible.

"The question is how to do it. If a question is put in this Council asking 'whether it is a fact' and so on, the answer of the Government will invariably be 'The Government have no information'. If we mention to them a case where proximity causes hardship, they will say 'It will be investigated'; but when it will be investigated and what the result will be we

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cannot know. They will say 'orders will be passed' but we shall have no idea when they will be passed. After all what is the nature of the investigation? Can we expect hon. Members of this House to go about and to find out cases and bring them to the notice of the Government? And the decision may not be reasonable or satisfactory. If this resolution is accepted, there will be a chance of that committee which I suggest investigating cases of forests lying within a reasonable distance from the village or occupied area and bringing to the notice of the Government grievances, if any. If there are no grievances, Government will have the satisfaction of knowing that everything is all right. If there are grievances, the committee will be able to suggest to the Government measures that may be adopted for their redress. In my resolution last year, I suggested disafforestation. This is one of the ways of redressing the grievances. There are also other suitable remedies. The Government were pleased to appoint two committees last year, one to investigate the grievances relating to forests in the Coimbatore district and the other for the Guntur district. These with the help of the Chief Conservator and the Members of the Legislative Council of the district and also with others of the district have investigated the cases and orders have been issued in many cases favourably. This necessitated the Chief Conservator to go about. So, if only such committees as I propose are appointed, they will have the grievances elucidated and make proposals for remedying the grievances. I am sure that when many of the grievances are brought to light the officers will feel that they are real and that they can be remedied. When the resolution in regard to the Coimbatore district was moved, it was clearly stated that similar resolutions should not be tabled in respect of other districts, as the Chief Conservator could not be visiting every district. What I say now is not that similar committees should be appointed in this district or in that district. I wish that committees should be appointed in each district, and that non-official opinion is brought to bear upon the officials, so that there may be a chance of officials knowing what the grievances are, and the non-officials knowing what the difficulties are, in the way of Government accepting the proposals we make.

"Again, from the point of view of the Government, and from the point of view of this House itself, I should say that my proposal has another advantage. It is this: we have got a number of resolutions tabled, and sometimes questions also, about these matters. These are matters about which when we come to discuss here, the Government say that they have no definite information. But if these matters should be thoroughly thrashed in the district itself, many of the matters will not come here, and the agenda will not be so long.

"Then, Sir, as I said, there are many ways in which the grievances can be redressed. One method, as I said, is disafforestation. Another is that wherever the areas are so near and are fit for being handed over to panchayats, they can immediately be handed over to them. But it may be asked: when there is a special officer, where is the necessity for this? If I understand correctly the Report of the Forest Commission, they said that panchayats should be constituted wherever possible with regard to both classes IV and V forests. These forests cover hundreds of acres, so that the special panchayat officer will not be able to deal with all cases where forests lie near villages

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and which do not come under class IV or V forests but which come under class I or II. In all such cases it may be possible for these committees to do good work.

“Thirdly, Sir, I think the object of Government in taking up a large area in 1890 of what may be really called village forests, was the conservation of the forest area for the benefit of the villagers. If that is the object of Government, it cannot be better realized than by giving the villagers living near such reserves a voice in the working of these forests, and it is only for that purpose that a committee constituted on the lines I have described is necessary for each district.

“Then, again, I shall quote one sentence from the Forest Committee Report, where they say :

If necessary more lands were to be taken up and conserved and the natural growth supplemented by plantation. All these lands were to be constituted reserved forests under the Act. But it could not be too strongly affirmed that the chief object of the reserved forests throughout the country was to be the supply of fuel, pasture, small timber and leaves, for manure and litter. Grazing and the removal of forest produce was not to be free, owing to the necessary expenditure involved in conservation and improvement, but agricultural and domestic cattle were to be admitted at half rates, or, if Collectors thought it necessary, free.

Such things can be well discussed only in committees investigating particular reserves. In that case, the District Forest Officer will have the advice of the local people and this would go far towards redressing the grievances of the poor villagers.”

Mr. M. NARAYANASWAMI REDDI :—“ I have great pleasure in seconding the resolution. Sir, if there is anything that can claim the highest attention of the agriculturists, it is the forest question. This momentous question requires due consideration from this House, as reserve forests play a very conspicuous part in the history of the ryot. The ryot has to depend on these forests for his agricultural implements, for manure leaves, for the grazing of his cattle and all other facilities which agriculture requires. Cultivable lands without forest facilities mean bodies without souls. The present forest administration has brought upon the poor ryot untold miseries, as it is purely run on commercial lines. The appeals of the oppressed ryot have fallen on deaf ears. There is no rule or law by which the forest officials can fix compensation for the so-called forest offences. The poor ryots are prosecuted simply on the evidence of the subordinate officials. The forest guard is the complainant, and the forest watcher is the prosecution witness, and the presiding sub-magistrates have no option but to accept the evidence of these men and convict the accused. It will not be out of place here if I draw the attention of the House to the fact that it is here the evil of non-separation of judicial and executive functions is most patent. As many of the forest reserves abut on and overlap agricultural fields, the loss caused to the ryots by the depredations of wild animals is enormous. The ryots are not allowed to enter into the forests to destroy these wild animals

“ The present rules vest too much power in the hands of the officials. They can, on their own initiative, close any forest area against cattle grazing on the plea of converting them into coupes or felling series. The *Sanambakka* and *Panappakkam* reserves of my taluk, which lie close to the villages, were closed against cattle grazing two months ago in spite of the emphatic protest

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of the ryot population, and it was after much agitation and repeated representation to the District Collector that they were thrown open again for grazing purposes.

“Under these circumstances, it is highly desirable that a committee, such as is proposed in the resolution, should be appointed to enquire into and report on the measures to be taken to redress the legitimate grievances of the poor ryots.”

Mr. W. VIJAYARAGHAVA MUDALIYAR :—“Sir, I have great pleasure in supporting this resolution. My hon. friend, Mr. Muniswami Nayudu, and the seconder both come from Chittoor, and I come from North Arcot. I am aware that the grievances of the villagers in my district are at least as real and as deep-felt as those in Chittoor. In my district also, there are hundreds of acres of forest land, and most of such forest lands lie close to villages. I know of a case, Sir, in which there is a reserved forest lying between a certain village and its hamlet. The road between these places goes in a semi-circle round a small hillock, which is a gravelly soil, and there is nothing growing on it except thorns. There is no income to Government from it except, perhaps, the receipts from fines and penalties for cattle trespass. Across this field, which is forest area, there is a foot-path which is generally used by the villagers to take their cattle to their hamlet. This short-cut between the village and hamlet has been in existence for a long time. Now this has been declared to be reserve forest, and the trouble and annoyance that the villagers suffer from the forest subordinates cannot be described. People who take their cattle by the foot-path are charged for cattle trespass, and they have to escape by purchasing the kindness of forest officials. This state of affairs can be put an end to only if the non-official agency in the district is availed of. A solution can be found for the redress of these grievances only in the formation of an advisory committee. There is absolutely no reason for reserving useless tracts of land lying near the villages as forest reserves. Therefore, I think the committee as recommended by the hon. the mover is very necessary.”

The hon. Mr. A. R. KNAPP :—“Sir, I am sorry that my hon. friend opposite who has given notice of an amendment to this resolution has not come forward to propose it, because that amendment, if I may say so without any breach of confidence, was the outcome of a discussion in the Forest Committee, and with some hesitation, it is true, I was prepared to accept it, in which case I could have saved the time of the House for the discussion of matters which are more deserving of discussion. I do not want to be understood in the least as wishing to minimize the importance of the forest grievances which are from time to time brought up before this House. The officers of the Forest Department are perfectly aware that there are grievances. They are perfectly aware that there must be cases where the rules and regulations of the Forest Department conflict with private convenience; and it is the object of the Conservator of Forests to reconcile as far as possible private convenience with the public interest. After all, is it not the case in every organized society that you must have occasionally this conflict between private convenience and public interests? For example, I should be very much happier if I had no police to stop me at the cross roads or if no tax-collector came to take taxes from me. But we all recognize that this kind of thing must be. What I ask the House to remember is, when they hear the

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Forest Department held up to opprobrium, when they are told that it is the most unpopular department in the Presidency, when they are told, as they have been told to-day, that the forest officials are notoriously corrupt—an accusation which I most strongly repudiate when we are told that there is no sincere desire on their part to carry out the policy laid down by the Government regarding panchayats—I ask the House to remember that it is a very difficult task that is thrown on the officers of the Forest Department, that they have to judge between private inconvenience and the very much larger interests of the public, namely, the State.

“Now, the reason why I considered that there were other items in our private business much more deserving of discussion than this was that, as the hon. the mover has already pointed out, this House has already threshed out this matter. My hon. friend did not refer to the fact that even before the reforms we had a debate on this subject in 1920 when Mr. Siva Rao proposed a resolution. We then had the benefit of the presence in the Council of Mr. Cox, and after hearing from him a very lucid and informing reply Mr. Siva Rao withdrew his resolution. The matter came up again, as my hon. friend mentioned, in August 1-21. There was then a very interesting debate; there were no less than 13 speakers; and one fact which stands out on a perusal of the debate is that there was a very great difference of opinion as to whether my friend's proposition as then put forward was feasible. His proposal was that all lands within a mile of the reserves should be disafforested. As we have been told, that resolution was eventually passed. The hon. the mover has told us what happened thereafter. He said that the Government did not accept the resolution; but on the 6th January 1922 they passed an order the terms of which he explained to us. Now he forgot to mention what happened in the interval. He forgot to mention that we obtained a very full report from Mr. Cox on the whole subject—a most interesting letter, which had been laid on the Editors' Table and which I should advise any member who is interested in this particular subject to read. I hope my hon. friend the mover himself has read it.”

1 p.m.

MR. B. MUNISWAMI NAYUDU :—“I thought it was confidential, otherwise I would have referred to it.”

The hon. MR. A. R. KNAPP :—“It was laid on the Editors' Table. Thereafter we referred the matter to the Forest Committee, a body consisting of members of this House whom we consult on matters of policy in connexion with forests. And it was after consultation with that Committee that the Government issued their final order. I think, Sir, that this detail which my hon. friend omitted to mention throws an important light on the process by which the Government arrived at their conclusion. The conclusion arrived at was that the Government were not able to accept the principle that proximity to occupied areas within one mile would *per se* justify disafforestation. But when specific instances are brought to the notice of Government showing that proximity causes hardship, the Government will be ready to institute the necessary inquiries and give redress if possible. Now, Sir, that I maintain is a perfectly reasonable and proper position to take and I am afraid there is nothing in the speeches I have heard which suggests that the Government should depart from that position.”

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"I do not propose, Sir, to follow in detail the hon. Members who spoke on this resolution, for some of them discussed matters which I am afraid are far remote from the particular resolution we are considering. There have been references to cattle grazing, to the closing of forests, even references to the separation of judicial and executive functions. My objection, Sir, to this resolution and my difficulty in accepting it is almost entirely on account of its generality. The hon. Member recommends that a committee should be constituted for each district. I do not know how many districts my hon. friend is acquainted with. Both he and the seconder come from the same area and the hon. Member who supported the resolution comes from the adjoining district. I do not deny that there may be cases in Chittoor which deserve investigation. But, as I said, the moment a case comes to the notice of the Government, the Government are prepared to inquire into it and take whatever steps may be necessary and possible to redress legitimate grievances. But I do protest, Sir, against the idea that we should set up, as my hon. friend the mover recommends, roving commissions in every district not to redress grievances but to hunt for them, for, that is what my hon. friend's suggestion comes to. Surely, one is entitled to say that if the grievances are so great as is complained of, it is surprising that persons aggrieved do not come forward and point out their grievances either to their representatives in the Council or to the local official. During a long experience in this country, I have never found the ordinary ryot particularly backward in coming forward to represent his grievances. The fallacy in the line of argument followed by my hon. friend, the mover, is that he argues from the particular to the general. There may be grievances in Chittoor. But it does not necessarily follow that there are the same grievances all over the Presidency, grievances so serious as to make it worth our while to appoint a committee in every district. Let me give him two instances. The basis of my hon. friend's resolution is that we should remove the forest boundary line to at least the distance of a mile from every village. I know from my own experience of cases where the reason why the village adjoins a forest is that the villagers work in the forest and want the forest to be near them. I do not know what sort of position we shall be in if we are going to remove the forest boundary and possibly force the people to remove their habitations. The result would be that the village would be always chasing the forest boundary."

Mr. A. RANGANATHA MUDALIYAR :—"Sir, shall I have some specific cases of villages being established after the formation of forests?"

The hon. Mr. A. R. KNAPP :—"A great many in the West Coast, where the houses are placed near the forest, because the inhabitants work in the forest and wish to be near it."

Mr. A. RANGANATHA MUDALIYAR :—"Any such instance other than in the West Coast?"

The hon. Mr. A. R. KNAPP :—"Then, Sir, there is another case. Reference has been made to the fact that a committee was appointed to go into the question of forest grievances in Coimbatore. That committee sat and it is a fact that two cases came to their notice in which the suggestion was made that the forest boundary ought to be pushed back on grounds somewhat analogous to those which my hon. friend mentions. These cases were examined by the committee with the result that in neither did they think

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it necessary to carry out that suggestion. In one case, they say that they are not convinced that disafforestation is desirable in the interests of the villagers themselves. That is only an illustration of my point, viz., that the hon. Member's suggestion that we should set up these committees in every district in the Presidency is really not a practicable one. I admit that there may be grievances in some places but I have said, and I repeat it, that we are quite ready to enquire into any case of this kind which comes to our notice. I will even go further and say that if in any district it is brought to our notice that there is a considerable volume of these complaints, I am quite prepared to follow the example of Coimbatore and appoint an *ad hoc* committee to go into that particular matter. I do not think that we should be asked to accept the suggestion of the hon. Member and appoint at once committees all over the Presidency, committees which I now understand he wants to be permanent and not temporary. In my opinion, Sir, it is very much wiser to follow the procedure already promised and let Government make enquiries when grievances are brought to their notice.

"There is only one other point which I should like to refer to, and it is this. You are not going to establish these committees without a certain amount of expenditure. When this matter was discussed in 1921 one hon. Member sitting on the other side of the House urged the Government not to reject the proposal on the ground of its cost because, he said, 'the resources of the Government are so very unlimited'. I think we know better than that now. I am quite aware that the departments under my charge are regarded in the House as spend-thrifts and I think it will be inconsistent if hon. Members were to force me in this manner into incurring expenditure on such general committees all over the Presidency when in the opinion not only of myself, not only of the Forest officers, but I think I may say of a good many members of the Forest Committee, the establishment of such general committees is in no way a necessity.

"Then the hon. the mover referred to the fact that one solution of all these difficulties was to hand over the class IV or class V forests to panchayats. He is perfectly well aware that we are straining every nerve to do that. But the trouble is that the panchayats do not seem in some cases very willing to be formed and in other cases they are not functioning as well as might be expected. We have after many years of struggle made a fresh effort by the appointment of a special organization to try and push the formation of panchayats. And as my hon. friend is aware his district, Chittoor, is one of those to which that organization has been directed to give its first and earliest attention. If they succeed, Sir, in forming panchayats to take over the large number of apparently not very valuable forests in Chittoor, then, Sir, I hope we shall be able to satisfy my hon. friend and come to an end of his complaints on this particular subject "

SAIYID MUHAMMAD PADSHA SAHIB Bahadur :—"I am really surprised at the attitude assumed by the Government regarding the resolution which has been moved by my hon. friend, Mr. Muniswami Nayudu. Sir, I am afraid the whole tenor of the reply indicates the spirit in which the forest policy is worked out by the Government. It has been said, Sir, that the grievances which have been from time to time ventilated in this House and elsewhere are only of an ordinary kind, that they are of the

1-15 p.m.

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nature of the ordinary conflict of individual inconvenience and public interest. But, Sir, I am afraid that it is not the right spirit in which the question has got to be viewed. In the face of the fact that the grievances are not particular to any village or district, of the fact that it is not one individual or two that is affected by the administration of the forest lands but that the complaint is universal and that the discontent grows every day in volume, in the face of these facts for the authorities to persist in their mistaken impression that the inconveniences occasioned to the villagers on account of the way in which the forests are administered are only of the ordinary kind which do not go to point out to an inherent defect in the system itself but only to the ordinary conflict of private and public interests, is, I am afraid, a serious error on the part of the Government. Now, Sir, there is hardly any department, barring perhaps the Revenue, with which the men in the village have got so much to do as the Forest department. For the purpose of grazing the cattle, for obtaining green manure, for procuring the material for his tools, almost for everything connected with the daily routine of life, the villager has got to have recourse to the forests. It is, therefore, pre-eminently necessary that the administration of the forests should be made as acceptable to the ryots as it possibly can without militating against the fundamental principles of the departmental policy. But the reverse is the case in this instance. We find, Sir, that the proximity of forests to the village-site or the cultivated area is, instead of proving to the villagers' advantage, a positive disadvantage. Evidently what happens is this. Large tracts of forests which lie close to a village are enclosed and set apart as reserve forests. It may be, Sir, and it very often is, that these vast areas contain nothing but thorns and do not for all outward appearances seem to have anything valuable either for the Government or for the public. But all the same they are very carefully preserved, very jealously guarded to the great inconvenience and discomfort of the ryots round about. Very often in these villages there are a large number of cattle and there is no open ground available at all for them to move about.

"So that the result is that the cattle of the village do not have any facilities for moving about in the village, and the portions of the forests which are set apart for grazing and which are very far away from the village, may not be quite adequate for the purposes of cattle grazing. Even though the cattle may need some open space to move about in the village, these forest areas are kept as the holy of holies into which neither the villagers nor the cattle dare enter. So, Sir, we find that the way in which the forest administration is carried on is not at all conducive to the convenience, at any rate the immediate convenience, of the ryots, whatever the prospective advantages might be.

"Just one point more, Sir. I do not understand what the meaning is of the expression 'public good'. If various sections of the community, if whole villages, if all sections of the population are inconvenienced and are placed under a positive discomfort on account of any law, I do not see how that law can be taken to conduce to the benefit of the public at large. The public at large are composed only of the various sections of the people who are affected by that law. So, I think it is simply futile to try to refute the arguments advanced from time to time in this House recommending a change in the angle of vision in the matter of the administration of forests by treating these grievances as merely accidental, and I am of opinion that the

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suggestion made in this resolution by the hon. the mover is one which is calculated to go a long way in making the forest administration more acceptable to the ryot."

Diwan Bahadur P. KESAVA PILLAI :—" Sir, I rise to express my sense of gratitude to the Government for the way in which they have been dealing with this question for some time. I also acknowledge with thankfulness what Mr. Cox has done and is still trying to do to redress some of the grievances brought to his notice. We may also express our gratitude to the hon. Member for his expressions of sympathy and for the readiness with which he says he will carry out investigations when grievances in any particular district are brought to notice.

" But I may mention that this is a change in the attitude of Government from what it was before. In the old days it was so difficult to convince the Government of the existence of these grievances. But now the ryot knows that the Government have come to realize that there are grievances and that they are no doubt applying whatever remedial measures they think proper, but we know that the troubles of the ryot still continue in many places, because the Government have not chosen to carry out fully the recommendations of the Forest Committee.

" I may tell the hon. Member that so far as my district is concerned, hundreds of petitions have been put in periodically to the district authorities, representations have been made to the District Collector and the District Forest Officer, sometimes I have myself made representations to the Collector—sometimes my colleague Mr. Sivasankaram Pillai; and I must state that the authorities have been pleased to disafforest some reserves. But there are still certain so-called reserves where you find nothing but prickly-pear and wild pigs. You find hundreds and hundreds of these wild pigs destroying the crops of the ryots. People cannot go in and hunt these pigs, because the area is closed and hunting is forbidden. I may mention one or two reserves of the kind for the information of the hon. Member. There is the Golla reserve in Anantapur district, where the Forest Committee of which my hon. friend, Mr. Ramachandra Rao and myself, were members, camped, made inquiries and heard complaints of the local ryots. It is not of any earthly use to the Government; it does not produce any timber. It is not even fit for grazing purposes because it is full of prickly-pear, and it only breeds pigs to the detriment of the ryots' interests. I know there are several such reserves which are all very near the villages, and the inhabitants suffer very great inconveniences. I applied to the Collector and he said that he would disafforest one after another. He was able to disafforest nine forest reserves last year. We know as a matter of fact that except in a few places like Muchukota, the rest of them in my district have only prickly-pear and thorny shrubs. It is very desirable to appoint a committee as suggested in this resolution for the Anantapur district and disafforest the worthless reserves which have been condemned by the Forest Committee.

" I would not enter into further details. I would say a word about the panchayats. Panchayats have not been successful in many places because the conditions have been rather too hard. Sometimes they were asked to pay so much and they could not get that amount from the ryots of the village. No doubt the establishment of the panchayats saves the ryots the

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worry and trouble from the forest guards and other forest authorities, but the imposition of conditions such as the payment of a fixed sum of money, and the responsibilities which they cannot easily carry out, will not make them a complete success. I would also like to mention to the hon. Member in charge that he should not be carried away by the idea that the grievances complained of by the hon. the mover and brought to the notice of this Council to day are confined to Chittoor district only. These grievances are more or less universal. If Mr. Cox goes into the matter of these grievances he will surely afford relief, to be helpful to the ryots and also make the Government a little more popular with the ryot population. I would request the hon. Member in charge to accept this resolution at least in an amended form to the effect that wherever complaints are received a committee should be appointed on the lines suggested in this resolution by my hon. friend, Mr. Muniswami Nayudu."

At this stage (1-27 p.m.) the House rose for lunch

The House re-assembled after lunch at 2-30 p.m.

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I beg to give my cordial support to the resolution moved by my hon. friend, Mr. Muniswami Nayudu. I do so because the grievances complained of by him are genuine and to my mind many of them have absolutely no justification whatsoever to continue. The hon. the Home Member said that villages were springing up near the borders of forest reserves and that it was somewhat unreasonable to expect the Forest department to recede and recede when new villages were being formed by the side of them. I wanted further information on that point, and he said that such cases were common in the West Coast. I am afraid, Sir, he did not cite any district nearer Madras for fear lest his statement should be taken strong objection to by many of the Members present.

"So far as my district, Bellary, and the villages in it are concerned, it is the villages that are gradually receding and receding till they come almost to the utmost village limit. I am not speaking at random; I shall testify to my statement by one or two instances. Recently, I had to go to Kudligi taluk in connexion with a certain work—I am sure the hon. the Home Member will acquit me of any desire to put forth any objections or forest grievances—and there I found, Sir, that in many of the villages the people were complaining of the encroachment of forest limits into the villages. I tried to find out if their complaints had any justification. I found, for example, in the case of the Sankallapalle reserve that year after year the Forest department went on advancing and occupying even vacant lands to the great inconvenience and annoyance of the villagers. The reserves of Sankallapalle were formed in the year 1890. I take it that those people who first created the reserve took care not to be too close to the village, for they were aware that annoyance would be caused to the villagers. But their most enthusiastic successors in 1892 claimed an area of 620 acres, calling it an extension. Two years later this reserve was extended on the north and west and occupied an area of 457 acres. The department was not satisfied with this and the reserve was again extended eastwards till it included 792 acres. Just like the giant whose appetite grows with what he feeds upon, this reserve extended its claws, so to speak, to the extent of occupying an area of 6,070 acres. The result is that there are now a number of villages, which originally,

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when the main reserve was formed, were far away from the forest, but subsequently, owing to the action of the enthusiastic and over-zealous officers, have been placed in a considerably contiguous and inconvenient position. Instances like these might be multiplied. The Cherubi reserve was formed in 1892 and an extension was made in 1895 with the result that the reserve approached very much nearer the village. There is again the case of Uppalagudi reserve, where, I think, by a subsequent extension, the Forest department managed to include within its limits a Muhammadan mosque, a Hindu temple and a well the use of which was very much coveted by the villagers. I brought this matter to the notice of the forest authorities, and I am glad to say they have since reduced the boundaries of the reserve so as to exclude the mosque, temple and well.

"Then, the hon. the Home Member asked why the villagers did not complain if such grievances existed. My answer is that they do complain, sometimes by letter, and more frequently in person. I should like to know if the hon. the Home Member is not aware that, when an officer tours round, groups of village people come and pester the officer for this or that relief. They are not literate people and they do not know all the formalities that they have to observe; but if such oral representations are not taken as complaints, I do not know what else should be taken. I think, Sir, that the formation of a committee of the kind suggested by the hon. Member for Chittoor will go a great way to afford relief to the people. For example, I may say this: in Adoni range the Forest department has classified some reserves as class I, which I do not think are fit enough to be included in class IV, and I take it that the people there have complained fairly often about this classification and the inconvenience entailed thereby. The Conservator, who happened to be a sympathetic officer and who went into the whole question, recommended, I think as long as over a year ago, that these reserves should not be put in class I, but that, on the other hand, they were so worthless as to deserve disafforestation. But then his report, I think, has been hanging for the last one year or more. A year or two ago orders were passed by the Chief Conservator disafforesting as many as eight reserves. I would like to know whether, if there had been a committee of the sort prayed for by Mr. Muniswami Nayudu, this kind of dilatoriness could not have been avoided. I am emphatically of opinion that this committee will go a great way to afford the relief which is much needed by the ryots in the interior.

"The hon. the Home Member referred to the question of cost. Very well, Sir, I am for minimising the cost of these committees as far as possible. I shall not mind if you make these members work honorarily. I would ask him, for instance, to include all the representatives sent by those areas as members of this committee. He need not give them any travelling allowance at all. So, Sir, he will be able to get the work done, because fortunately, owing to the Reforms, the electorate or the common people have a machinery whereby they can compel their representatives to work on their behalf. So, the hon. the Home Member need not be afraid that if these appointments are made honorary, there will be none to work. I shall venture to assure him of that.

"I do not think, Sir, the hon. the Home Member has adduced any convincing reasons why my hon. friend's resolution should not be

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accepted. It may be, Sir, that there are one or two reserves, or one or two districts, where these complaints do not exist; it may be so in the West Coast, for the reserves there are so abundant that there is hardly any complaint regarding them. Again, there may be a district or two with no reserves, and in these cases he need not appoint any committee whatsoever. If he is so inclined, I would propose *after the words* 'for each district' the addition of the words 'except where the Government for special reasons consider unnecessary' so that in all other districts such committees may be appointed."

The hon. the DEPUTY PRESIDENT :—"Does the hon. Member move an amendment?"

Mr. A. RANGANATHA MUDALIYAR :—"Perhaps, I may do it at a later stage; and if I do not move it, somebody else may do it; I simply throw out a suggestion now. For, if the hon. the Home Member wants an amendment for the proposition, he may take it in that form. With these words, Sir, I have great pleasure in associating myself with the mover of this resolution."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I have given notice of an amendment. But before I formally move it, I may just say a few words. So far as the Forest Department is concerned, there is no doubt there is a general feeling that the ryots have to suffer very much at its hands, not in one way or two, but in a number of ways. The Government, indeed, are saying that these hardships—of course they do not deny these hardships—cannot be helped in the interests of future generations, and that the forests must be reserved so as to conserve rainfall, etc. I am not a scientist or an expert, Sir. But, so far as Coimbatore district is concerned, it contains the largest reserve forest and in fact it is one of the largest districts in area of which 2,000 square miles and odd form forest reserves, and yet it gets the least rainfall excepting perhaps Bellary. Therefore, the existence of forests, from the layman's point of view, does not very much contribute to rainfall.

"Secondly, there are certain difficulties so far as grazing and fuel are concerned. As regards forest panchayats, they are still in an experimental stage and so we cannot say very much about them. Our belief is that in the past the forest panchayats have not been very successful because they have not been allowed to be successful by the restrictions and conditions to which they were subject, and the arrangement resulted in negligence which was taken for mismanagement by the officials, although the panchayats could not go against the villagers by enforcing those restrictions. The officials believed in their infallibility and they said that the village forest panchayats did not work well and that the best thing would be to substitute reserve forests. That was their honest view. That may be one of the reasons why the village forest panchayat did not succeed as well as it could have even under the new scheme. My suggestion that it should be placed under the Co-operative, Agricultural or Revenue Department was not accepted and it has been found necessary by the Government to place it subject to the control of the Forest Department itself. Well, however, only time will show whether the new inauguration of a separate department subject to the control of the Chief Conservator of Forests is likely to prove successful. One unfortunate thing is this :—In this department we find that the expenses are almost equal to the income and the 58 or 60 lakhs that are gathered by it are practically spent upon the establishment and on other expenses. There is a very strong

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feeling—and I am one of those who share in that feeling—that the more there is reduction in the establishment of this department, probably the better it would be for these villages. I do not know, Sir, if that cherished object is likely to come up soon. Whatever that may be, there is no doubt as matters stand that we should have some reasonable changes in the way in which this Forest Department is administered. It is, therefore, necessary to sympathise and carry out every resolution that is brought forward in this House for checking the working of the Forest Department.

“ So far as this resolution is concerned, the hon. Member in charge has, referred to me as having given notice and got his consent, 2-45 p.m. though reluctantly, to this amendment. With the experience that we gained in Coimbatore, and also in view of the glaring fact that it is not a transferred subject as it is in Bombay, and the fact that this Council's resolution that every forest within one mile of the occupied area should be disafforested was completely ignored by the Government, and remembering that it is a reserved subject and that the Government can veto the resolution though it is unanimously passed by the House, I suggested in the Advisory Forest Committee that to have something is better than nothing. It is in that view that I discussed the point and requested not only the hon. Member in charge of the department, but also my friend Mr. Muniswami Nayudu to agree to my amendment with the understanding that this should be accepted by Government and committees should be appointed in three or four places, including the district represented by Mr. Muniswami Nayudu. It was on that understanding that this amendment was put in, and it was accepted by both of them. As six days' notice was necessary, I sent up this amendment—otherwise Members would complain that they had not sufficient notice—to the President informing him that both the gentlemen had accepted it and requesting him to permit me to move it. In the Coimbatore district, I must say with the kindness of Mr. Cox who appeared to be very sympathetic—and I believe he is sympathetic so far as the ryots are concerned—we went into the whole question of the various ranges as regards the forest grievances and suggested remedies. The best thing is to have a committee for each district. It is very desirable that instead of a committee roaming about, on one subject each district should have a committee which will enquire into the grievances and suggest remedies. As it is, we find that almost in every place there is a real grievance because the forest area is adjacent to the cultivated area. Wherever we went, we found the grievance, namely, that the line that divided the forest area from the cultivated portion was so small that the cattle were not able to recognize the paper boundary. As soon as the cattle are left free, they run into the adjacent ground because it is green in spite of the attempt of the Forest Department to put regular boundaries. The first thing is that the ryots suffer on account of the ignorance of the cattle—though ignorance of law is no excuse and prosecutions take place because the cattle have trespassed into what is called the reserved forest area which is close to the cultivated area. Therefore we suggested in that committee—the hon. Member has no doubt referred to one portion of it, viz., where specific mention was made of two particular places,—but it was found that it would be difficult to refer to one or two particular areas. So far as the poor ryots are concerned, there is a real difficulty in the disafforestation for one mile. The reason is

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this :—As soon as one particular portion between a cultivated area and a reserved area is disafforested, there is a temptation on the part of the ryots to apply for darkhast with the result that the cultivated area gets again very close to the forest area and the same difficulty comes in. Therefore, a large number of poor ryots—there are also some rich ryots—suffer from disafforestation. The disafforested portion should be under the charge of the Forest Department or should be subject to the condition that it should not be given on darkhast or patta to any one. That is a case of course of disafforestation, but still such thing might be found useful so that these particular portions may not be given on patta to the adjacent landholder. Taking all these circumstances into consideration and the fact that this one-mile area covers barren mountains, the Government should at least appoint committees in at least three or four districts. So, I formally move my amendment which runs thus: *For* the words ‘for each district’ *substitute* the words ‘for each of the districts in which the Government may consider it to be useful’.”

Mr. M. R. SETURATNAM AYYAR :—“I second the amendment.”

Rao Babadur A. S. KRISHNA RAO PANTULU :—“Sir, in the first place I wish to say a few words in support of the resolution. I think the honourable mover has done very well in not confining his attention to a particular district, in not specifying Chittoor which he represents, and in bringing to the notice of the House the general grievance pertaining to the whole of this Presidency. Sir, the hon. the Home Member practically invited us to state exactly what the grievances of other districts were in this respect, because he said there were no such grievances felt by other districts. It is that statement of his that impels me to say that grievances are prevalent in most districts of the Presidency. Speaking for my district, I may at once inform him that there has been no grievance which has been more common and persistent than the grievance regarding forest matters. Whenever there are conferences, resolutions are passed drawing the attention of the authorities to the grievances of people in this particular respect. I may also inform the hon. the Home Member that whenever I had an opportunity of going round and having a conference with the inhabitants of villages, the first thing they drew my attention to was the forest grievances. Again, Sir, this very subject about the difficulty of these forest reserves being located within a mile of the village-site or a cultivable land, was the cause for several prosecutions within recent times in criminal courts. These cases were colloquially known as non-co-operation cases, but they were really forest grievances.

“Sir, I shall now give an instance of a conference held by the previous Collector of Nellore. Hardly a year has passed since then. At the instance of this Collector a small conference was held at which a number of ryots and I were present. They placed before the Collector a number of instances in which they had been harrassed on account of the nearness of these forest reserves. Unfortunately or fortunately we have had six or seven Collectors within a few years. (I do not know why.) I am placing this fact before the House because the hon. the Home Member told this House that if it was a grievance really felt in other districts, the representatives of those districts would have come forward clamouring for redress. I have stated, as briefly as I can, the state of affairs in the Nellore district.”

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The hon. Mr. A. R. KNAPP :—“ May I offer a word of explanation, Sir ? I did not say that this grievance did not exist in other districts. All that I said was that the shortest way was to allow the aggrieved persons concerned to complain.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Now, Sir, because the motion of my hon. friend Mr. Muniswami Nayudu was tabled some months ago, it has not been necessary for those from other districts to bring forward separate resolutions. I, therefore, urge upon the attention of this House the necessity for going into this question generally, and dealing with it in the manner it deserves.”

“ I have not been able to follow the objections of the hon. the Home Member for accepting this resolution. So far as I have been able to gather, his objections were three in number. The first was against a general enquiry suggested in this resolution ; the second was that the Committee proposed was a permanent one, not even an *ad hoc* committee. May I point out to him that his acceptance of this resolution and the carrying on of this resolution by the House does not at all place the Government in any inconvenient position ? So long as it is agreed that this grievance is a real and reasonable one, prevalent in most of the districts of the Presidency, the fact that a committee is appointed for the purpose of investigating the cases in each district does not preclude the Government from omitting the districts where there is absolutely no necessity for a committee of this sort. When once the Government are satisfied that the grievance is a real one, these considerations do not stand in the way.

“ Then, Sir, the hon. Member did not specifically say that the committee should be a permanent committee for all time to come. He suggested that a committee might be appointed for any duration of time. It is certainly open to the Government to stipulate the terms and periods for which these committees are to work, and to lay down the necessary conditions. The resolution does not preclude the Government from laying down conditions of that character. Therefore, the House will notice that the objections urged against the acceptance of this resolution are not such as will appeal to this House if the House is satisfied that the grievance is a real one requiring redress.

“ I must say that I am not prepared to agree with Mr. Venkataramana Ayyangar in his amendment. The amendment which he has suggested is so general and so indefinite that it does not take us much further than where we are at present. What he suggests is this :

That this Council recommends to the Government that a committee of which not less than two-thirds shall be non-officials be constituted for each of the districts in which the Government may consider it to be useful.

“ So far as this is concerned, I would submit, even without a resolution of this sort being passed by this House, it is open to the Government to take steps in this direction if it considers it useful. Therefore, Sir, if we carried out some of the observations made by you as the Deputy President in your parts and also of Mr. Ranganatha Mudaliyar, I think it will best serve as an amendment. It is more definite for being placed before the House.

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3 p.m. "If you will permit me, Sir, I should like to move the following amendment to the amendment of my hon. friend, Mr. Venkataramana Ayyangar. My amendment is this:

For the words 'for each district' substitute the words 'for each district except in districts where the Government consider it unnecessary for special reasons'.

"My object in moving this amendment is this. If the amendment of my hon. friend, Mr. Venkataramana Ayyangar, is accepted, it will practically give absolute freedom to the Government to appoint committees or not. It will be open for any officer of the Government to state that he does not consider it useful to appoint a committee in a particular district. But if my amendment is accepted, the ordinary rule would be to appoint committees for each district and at the same time giving power to the Government to dispense with the appointment of committees in particular districts for reasons to be recorded. If the House is satisfied that the forest grievances are generally prevalent throughout the Presidency, then I would request the House not to dilute the original resolution by accepting the amendment of my hon. friend, Mr. Venkataramana Ayyangar, but leave it open to the Government to appoint committees for each district except in places where, for satisfactory reasons, they consider it unnecessary. If my amendment is accepted, that only gives some latitude to the Government not to appoint committees for districts where no grievances exist. With your permission I would like to move the above amendment."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, I beg to second the amendment."

Rao Bahadur T. BALAJI RAO NAYUDU :—"Sir, I beg to oppose both the amendments. Of course the hon. Members, Messrs. Venkataramana Ayyangar and Muniswami Nayudu, are sure that committees will be appointed for their own districts, and that is no reason why they should combine and deprive other districts of the appointment of committees by giving discretion to the Government to appoint or not to appoint committees. The hon. the Home Member need not be afraid that the expenditure for these committees will be very heavy. As suggested by my hon. friend, Mr. Ranganatha Mudaliyar, men will not be wanting to undertake honorary work and thus the Government will not be put to much expense. Under these circumstances, I think that a committee is absolutely necessary for every district where there are reserved forests within a mile of the village-site or the cultivated area."

Mr. M. SURYANARAYANA :—"Sir, I have great pleasure in following my hon. friend, Mr. Balaji Rao Nayudu, and in thinking that no amendment ought to be accepted in regard to this resolution. I agree with my hon. friend, Mr. Muniswami Nayudu, that a committee should be appointed for each district. There is absolutely no good in saying that the Government should be given the discretion to appoint committees only in districts where they consider them necessary. My hon. friend Mr. Krishna Rao's amendment gives the latitude to the Government to dispense with the appointment of committees in districts where, for reasons to be recorded, they consider it unnecessary to appoint them. But I am afraid, Sir, this will not help us either. Who is to examine the sufficiency or the insufficiency of the reasons recorded by the Government for dispensing with the appointment of the

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committees? Supposing the Government give some reasons for not appointing a committee, then are we in a position to examine the sufficiency of the reasons and tell the Government that their decision is wrong, and that they should appoint committees? I do not say that the Government will wilfully do it, but the Government may be advised by their officers that there are not satisfactory reasons for appointing a committee; and it is also quite possible that the Government will accept the recommendation of their own officers.

"So far as the Vizagapatam district from which I come is concerned, it may be said by some that there are no forest grievances. It is perhaps noteworthy to mention that Vizagapatam district is comprised of 14 ordinary taluks and only three out of them are Government taluks and all the others are zamindari taluks. In two of these Government taluks, the people are not only illiterate, but they are also poor. The character of these Agency people is such that at the very sight of an official—be he an European or an Indian, or be he only a mere constable—they are very very much frightened, and they are not able to place their grievances before the official. That is why there have not been any memorials from Narasapatnam and Palakonda taluks regarding the forest grievances. Both these taluks do have reserved forests, and the absence of any memorials is due not to the absence of grievances, but to the cowardly nature of the people at the mere sight of an official.

"As regards the committee that is proposed by the resolution, I am sure that it will not be a costly one. As suggested by my hon. friend, Mr. Ranganatha Mudaliyar, honorary gentlemen will not be wanting to undertake this investigation. With these few words, I have very great pleasure in supporting the original resolution of my hon. friend, Mr. Muniswami Nayudu."

The hon. Mr. A. R. KNAPP:—"May I know, Sir, on what the discussion is proceeding now?"

The hon. the DEPUTY PRESIDENT:—"There are two amendments before the House as well as the original resolution. Hon. Members may speak on any one of them. When putting to vote, I shall put them one by one."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I do not see any substantial distinction between my amendment and the amendment moved by my hon. friend, Mr. Krishna Rao."

The hon. the DEPUTY PRESIDENT:—"Am I to understand that the hon. Member says that he withdraws his amendment?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"I have no objection to withdraw my amendment if the amendment of my hon. friend, Mr. Krishna Rao, goes in."

The amendment of Mr. Venkataramana Ayyangar was by leave withdrawn.

The hon. the DEPUTY PRESIDENT:—"Now the discussion will proceed on the original resolution and the amendment of the hon. Member, Mr. Krishna Rao."

Mr. V. C. VELLINGIRI GOUNDAR:—"Sir, I rise to make a few observations on the resolution that is now before the House. The object of the resolution of my hon. friend, Mr. Muniswami Nayudu, seems to be to appoint a committee for each district to investigate into certain specific forest

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grievances. It is a well known fact, Sir, that the forest grievances are common throughout the Presidency. No doubt the Government are trying their best to remedy all the grievances in several ways: by investigating into them, by issuing orders to their subordinate officers, and by appointing committees. They have been trying their best to get at the root of all the grievances. But with all their endeavours the grievances do not seem to be remedied.

“As the hon. Members are aware, the forest grievances are many and varied. They cannot be remedied all at once. By appointing special committees, by hurrying up the labours of the committees and by asking them to finish their reports within a certain time, not all the grievances can be remedied. I am afraid several grievances will be left unredressed. My suggestion is that a permanent advisory committee should be appointed in all the districts where the forest reserves abound. Then it will be the duty of those committees to discuss with the District Forest Officer or other officers of the Forest Department, the particular grievances arising out of the particular areas of the districts. A number of non-officials might be asked to serve on the advisory committee. From the experience of the committee for our district, I can say that all the forest grievances pertaining to our district have not been remedied. Grievances of ryots vary in several portions of the same district. If we want to go into the question more minutely, we must appoint advisory committees as suggested by me. If special committees are appointed as recommended by the resolution of my hon. friend, Mr. Muniswami Nayudu, they can only make some recommendations and suggest certain lines of work which will be left to the Forest Department to undertake. The Forest Department will be left face to face with the ryots, and in dealing with the recommendations of the special committee, the department will find itself landed in various difficulties. In order that the Forest Department may be constantly advised on the matter, I suggest the appointment of a standing advisory committee, just on the lines that the Abkari Department has. If we appoint a special committee and ask them to finish their labours in a few months, they will not be able to get at the real grievances and suggest remedies for their redress. We should not be satisfied with merely the report of the committee; we must devise a machinery which will be constantly in touch both with ryots and the officers of the Forest Department. It is only want of mutual understanding that has given rise to all the forest grievances. If there is a common platform where all the grievances can be discussed, all these difficulties will disappear. There is no use of simply making disafforestation or classifying the reserves into parts and putting them under forest panchayats. We have heard that not even one panchayat has been doing its work satisfactorily. Therefore my suggestion is that if at all a committee is to be appointed, it should be of the nature of a standing advisory committee which will really solve all the difficulties to the lasting benefit of the ryots. With these few words I support the principle underlying the resolution of my hon. friend, Mr. Muniswami Nayudu.”

Mr. B. MUNISWAMI NAYUDU :—“Sir, I owe a word of explanation to this Council. It is true that this question was discussed by the hon. the Home Member who expressed that there might be difficulties in giving effect to the resolution as it stood because there were certain districts like Malabar where people would not like disafforestation in view of the fact that they have to live in forest areas themselves.

3.15 p.m.

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Possibly there may be one or two districts in which no complaints exist. With a view to meet difficulties of that sort, namely, the possibility of there being no grievances in certain districts, my hon. friend Mr. Venkataramana Ayyangar has suggested the amendment giving discretion to the Government to appoint committees for only those districts where they consider them necessary. I think as a member of the Standing Advisory Committee I represent not merely the interests of the district which I represent but also the whole Council. No doubt it was stated that Chittoor and Coimbatore might be taken as typical instances where the scheme could be worked out successfully. But I thought if I accepted the amendment of my hon. friend Mr. Venkataramana Ayyangar without consulting the House, it would amount to selfishness on my part. With that view I consulted several hon. Members as to whether the amendment proposed would be acceptable to them and a large number of these were of opinion that it ought not to be accepted. Therefore it was that I could not make up my mind to accept the amendment, nor to refer to it in my opening speech on the resolution. I wanted to know the entire opinion of the House before I could make up my mind to accept the amendment or not. I thought it would not be fair on the part of two hon. Members of this House, like Mr. Venkataramana Ayyangar, and myself to arrange between ourselves about a particular question and dictate to the House what they should accept. The amended resolution would in effect only mean a committee for my district of Chittoor and another for the district of Coimbatore which my hon. friend represents. I thought that would not be a fair proposal for this House to accept. I would therefore leave the amendment entirely in the hands of this House; I do not want to take any responsibility on myself by saying anything in the nature of a selfish desire to serve my own purpose.

“Well, Sir, I suppose I have to reply generally on the proposition. I am glad that my hon. friend, Mr. Vellingiri Goundar, though in the beginning of his speech he seemed to oppose my resolution, has really supported me by suggesting the appointment of permanent advisory committees. I am glad he said that a roving committee would be absolutely necessary. We have got at the expense of the tax-payer a roving committee to consider the grievances of the Imperial officers. I want the appointment of a committee which would really go into the legitimate grievances of the ryots and redress them. I cannot understand how the Government can come forward with the excuse of burden to the tax-payer in the appointment of committees intended to redress the grievances of poor ryots.

“As hon. Members are aware, last year, for the first time, we consented to burden the tax-payers to the extent of Rs. 35,000 by way of appointing special panchayat officers and six inspectors. Of course we acceded to the above proposal in the belief that it would really redress all the forest grievances. We shall be glad to hear from the hon. the Home Member as to what substantial work these panchayats have turned out. I am afraid they cannot show any solid work to their credit to justify their appointments. Under the circumstances there can possibly be no objection to incur a small expenditure by way of appointing committees in each district for the purpose of investigating into the real grievances of ryots.

“Before I close, I wish to refer to one other point, viz., the reason for suggesting the appointment of committees for each and every district. This

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Council is not issuing orders to the Government to constitute committees for each and every district. This resolution is only in the nature of a recommendation to the Government who may accept it to the extent to which they think it necessary. My resolution definitely states that the business of these committees is not merely to recommend disafforestation but also to suggest other suitable methods for redressing other grievances wherever they exist. I do not think there is any district where there are absolutely no grievances at all. I do not think that even in Malabar to which the hon. the Home Member has referred, people are thoroughly satisfied with the forest administration. There must certainly be some grievances and the only thing necessary is to investigate them and suggest remedies. The duty of the committees I propose will be not merely to recommend disafforestation, but, wherever disafforestation is not necessary, to suggest other means of remedying grievances. For these reasons, I submit, that my original resolution may be accepted."

Rao Bahadur A. S. KRISHNA RAO PANTULU :— "I think I may probably clear the House of a certain amount of misconception in the discussion of the hon. Member's original resolution. I put forward my amendment in the hope that it would meet with the acceptance of the hon. the mover and also that of the hon. the Home Member. It will be clear that when I started to give my hearty support to the resolution, different views were expressed by members, and because of the divergence of those views, I thought it would meet with the general acceptance of the House if I moved an amendment like the one I have moved. But now as hon. Members have neither expressed their disagreement, nor have indicated that they will accept it, and as neither the hon. mover, nor the hon. the Home Member, has given his views on it, I crave permission to withdraw it."

The amendment was by leave withdrawn.

The hon. Mr. A. R. KNAPP :—"I should like, if I may, to quote the words of one of our Standing Order which says :

the discussion of a resolution shall be strictly limited to the subject of the resolution.

"Now Sir, the subject of this resolution is :

That this Council recommends to investigate all cases where forest reserves lie within a mile of either the village site or the cultivated area of a village and to make recommendations to Government suggesting either the disafforestation of such areas or other suitable action to be taken to redress the grievances of ryots.

But the discussion has ranged over the whole or almost the whole of our forest policy and in another direction has carried us as far back as 1892. I do not propose to follow hon. Members in either of those directions.

"The request in the resolution is quite clear. My difficulty is, and the hon. mover of the resolution must recognize it, that on behalf of Government I am not prepared to accept his resolution which really means that every district should have a committee. That is the only interpretation that can be put on the wording of the resolution. I have stated already, and I repeat it again, that if there is any need in any particular district, I am quite prepared to appoint a committee. I mentioned at the outset that when we discussed the very same matter in the year 1921, and when 13 members spoke on the resolution, there was a very considerable divergence of opinion. I notice exactly the same feature this time. While some hon. Members want special bodies to enquire into the question of the proximity of forests

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to villages, others seem to ask for permanent standing advisory committees, one for each district to deal not only with the question of proximity of reserves to cultivable areas but with the whole of the forest policy of the district. That, Sir, I think, illustrates the differences of opinion. It is not at all surprising for there is not likely to be any unanimity of opinion because the conditions of different districts are different. It is on that ground that I oppose any such idea as the universal establishment of these committees all over the presidency.

"Now, Sir, you yourself and the hon. Mr. A. Ranganatha Mudaliyar brought to notice that in many cases complaints were left unnoticed. At the same time it was admitted that the representations made have led to disafforestation in many cases. That at least is a matter for satisfaction. All I can say is that in regard to the two specific complaints which were brought to my notice I shall lose no time in having the cases further looked into. My general belief is that the forest officer is perfectly ready to inquire into grievances that are brought to his notice, but to expect that every grievance that is brought to his notice will be redressed in the manner in which the petitioner expects it to be redressed would be Utopian.

"I do not think I need say anything more. I am rather glad that the amendment has been withdrawn. I should have accepted it with some hesitation, for I quite realized that there might be a danger of misunderstanding the exact basis on which the amendment would be accepted, and, for that reason, I preferred to have a plain issue laid before this House—a plain issue as to whether we are or are not to set up a universal system of committees in every district of the Presidency to investigate the questions of the proximity of forest reserves to villages."

The resolution was put and carried.

3-30 p.m.

The following resolutions were not moved and were therefore deemed to have been withdrawn:—

Introduction of avarai plants into poramboke lands.

Mr. R. APPASWAMI NAYUDU:—

49. *That this Council recommends to the Government that the rearing of the avarai plant should be introduced into the poramboke and waste lands of villages so as to be useful to the ryots for the purpose of cultivation.*

AMENDMENT

Notice has been received of the following amendment:—

Resolution No. 49.

Mr. A. RANGANATHA MUDALIYAR:—

For the words 'introduced into' in line 2 substitute the words 'encouraged wherever practicable in'.

Committee to inquire into the causes of the Mappilla rebellion.

Dr. P. SUBBARAYAN:—

50. *That this Council recommends to the Government that a committee of officials and non-officials be appointed to inquire into and report on the cause of the Mappilla rebellion in Malabar, and to inquire into the way in which martial law was administered in the rebel area and to further make recommendations as to the steps to be taken to stop the occurrence of such outbreaks.*

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AMENDMENTS.

Notice has been received of the following amendments:—

Resolution No. 50.

Mr. K. PRABHAKARAN TAMPAN:—

For all the words beginning with 'to inquire into' in line 2 substitute the following:—

'with a High Court Judge as president to inquire into and report on the cause of the Mappilla rebellion in Malabar and its protracted length and to consider the method of compensation and the persons to whom such compensation should be granted and further make recommendations as to the steps to be taken to stop the occurrence of such outbreaks'

Mr. C. V. VENKATARAMANA AYYANGAR:—

Add at the end the words 'and also to prevent such incidents as the Malabar Train Tragedy'.

Mr. C. RAMALINGA REDDI:—

Omit the words 'be appointed . . . outbreaks' in line 2, and insert the words 'with a High Court Judge as president be appointed to inquire into and report on the cause of the Mappilla rebellion in Malabar and to inquire into the police administration during the martial law period and subsequently in the rebel area and to further make recommendations as to the steps to be taken to stop the recurrence of such outbreaks'.

Committee to inquire into the causes of the Mappilla outbreak.

Mr. K. PRABHAKARAN TAMPAN:—

51. That this Council recommends to the Government that a mixed committee of officials and non-officials, with a president not below the rank of a district judge of ten years' standing, be appointed to inquire into the cause of the present Mappilla outbreak and its protracted length, to consider to what sort of sufferers compensation has to be granted and to suggest means for the prevention of such outbreaks in Malabar.

AMENDMENT.

Notice has been received of the following amendment:—

Resolution No. 51.

Mr. K. P. GOPALA MENON:—

After the word 'length' in line 4 insert the words 'the Police administration in general during the martial-law period and all other events connected with the Mappilla outbreak'.

Scale of salaries of the non-collegiate branch of the subordinate educational service.

Rao Bahadur M. C. RAJA:—"Sir, my resolution runs as follows:—

52. That this Council recommends to the Government that the scale of salaries proposed by the hon. Mr. A. R. Knapp for the officers in the non-collegiate branch of the Subordinate Educational Service, viz., Rs. 100—5—150—10—250 be approved in toto and that memoranda Nos. 226/B-3, dated 5th April 1922, and 1969A/1, dated 18th May 1922, be immediately withdrawn.

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"The recommendations contained in the resolution do not commit Government to an expenditure either not provided for in the Budget, or not approved by the Government and the Council alike.

"It may be asked why then a resolution should be moved in this Council urging Government to sanction a scale of pay which they themselves have approved and promised to give effect to from the 1st March 1921. This step has been made necessary by the subsequent orders issued by Government and referred to in the latter part of the resolution. Those orders as well as similar ones issued subsequently in regard to officers engaged on inspection duty have reduced the pay of nearly half the number of men in the service and have further created an apprehension—which by the way does not seem to be groundless—that Government contemplate going back on their own decision and promise in the matter of the pay of the non-collegiate branch of the Subordinate Educational Service and reducing the scale of pay already approved for the service.

"The non-collegiate branch of the Subordinate Educational Service consisting of over 450 officers, comprises sub-assistant inspectors of schools, headmasters and some assistant masters employed in the training department of training schools, and the teachers of the higher forms in high schools. These officers are all, at any rate a majority of them, trained graduates, while a fairly large number are M.A.'s too. Before being appointed or promoted to the cadre of sub-assistant inspectors, they had in most cases served as teachers in board or aided institutions for periods ranging from five to ten years, for, candidates for appointment in the Educational Department are ordinarily recruited from the teaching staffs of board and aided institutions. This fact must not be lost sight of in determining the scale of pay suitable for them.

"The pay of sub-assistant inspectors ranged from Rs. 100 to Rs. 250 even so early as 1880, and they had, in addition, very fair prospects of promotion to the higher service as Assistant Inspectors of Schools. The average pay of the service which was Rs. 129 in 1880 declined to Rs. 99 in 1920. With the temporary additions to pay sanctioned by Government in 1920, the pay of these officers now ranges from Rs. 93 $\frac{3}{4}$ to Rs. 240. The scale of Rs. 100—250 approved for the service by the Government is not therefore a great advance on the existing one, and is but the present pay with the minimum and maximum rounded off and the increments spread over rather a long period of 20 years. Again, the average of the scale of Rs. 100—250 is Rs. 175 which exceeds the average of Rs. 129 in 1880 by only less than 50 per cent, though in the opinion of the Salaries Committee appointed by the Government the prices of food-stuffs and other necessities of life have more than doubled themselves in the interval. The first Salaries Committee appointed by Government in 1919 recommended a scale of Rs. 75-15/2—150-25/3—250 for the officers in the cadre of sub-assistant inspectors. As the recommendations of that committee did not satisfy the subordinate services and were considered illiberal, Government appointed the hon. Mr. Arthur Knapp as Salaries Commissioner with instructions to scrutinize those recommendations and submit proposals for the various services for the approval of Government. His proposals, as finally approved by the Local Government and the Government of India, are embodied in the annexure to G.O. No 215, Financial, dated 4th March 1921, copies of which were furnished

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to the members of the Council in March 1921. The scale of pay approved therein for the service in question was Rs. 100-5-150-10-250 and Government promised to sanction the scale from the 1st March 1921 and called for the necessary proposition statement from the Director of Public Instruction. In answer to an interpellation put by Mr. S. Srinivasa Ayyangar asking Government to state what orders have been passed on the memorials of sub-assistant inspectors, Government invited the attention of the Members to G.O. No. 215, Finance, dated 4th March 1921, implying clearly thereby that they had sanctioned or proposed to sanction the scale of Rs. 100—250 for them.

“As in the case of the other subordinate services, Government permitted those officers who drew less than Rs. 100 which is the minimum in the new scale to draw Rs. 100 from the 1st March 1921 in anticipation of the sanction of the proposition statement. Under this sanction, over 250 officers who were drawing Rs. 98½ and Rs. 78 drew Rs. 100 from the 1st March 1921. Early this year the proposition statement too was sanctioned by Government in respect of certain institutions and the officers concerned drew their initial pay according to the new scale and also the increments due to them from 1st March 1922. Then came the orders of Government keeping in abeyance the new scale of pay sanctioned for the above officers and withdrawing the permission given to men in the last grade to draw the minimum of Rs. 100. The effect has been that the substantive pay of these officers has been reduced. Be it also observed in this connexion that the Rs. 100 drawn by these men was treated by Government as substantive pay and this is the first occasion that one comes across an instance of Government reducing the substantive pay of a whole class of their employees for no fault of theirs. There may be difference of opinion on the legality of these orders of Government, but from a moral and business standpoint, it may be confidently stated that they are unsustainable. Such an action on the part of private employers in ordinary business will be considered as breach of faith or contract which Government and public opinion alike will denounce and condemn.

“The educational service has always been the Cinderella of the services in this Presidency. In the words of Fitch, the educational profession, though the noblest of all professions, has been ‘the sorriest of trades.’ The educational service has not received adequate recognition and consideration from Government. This view is supported by no less a person than His Excellency Lord Willingdon himself. In his speech at the Kavali High School in 1919, His Excellency observed :

Again, I believe that the educational service in this country should be one of the most highly considered services that we have got under the administration of the Madras Presidency. But I regret extremely that at the present time it cannot be said that the educational service is being highly considered. This is due to the fact that Government do not pay quite sufficient salaries to educational officers.

“It is for consideration whether the reduction of the scale of Rs. 100—250 is calculated to make the educational service one of the most highly considered services in this Presidency. His Excellency was also a party to the proposal to grant the scale of Rs. 100—250 to officers in the non-collegiate branch of the subordinate educational service, and I may respectfully suggest that a considerable measure of responsibility rests upon His Excellency to see that this scale is given effect to.

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"The criterion enunciated by the Royal Commission on Public Services for fixing the pay of Government officials is that

Government should pay so much and so much only to their employees as is necessary to obtain recruits of the right stamp and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service.

"This reduction will, I am afraid, work against the desire of the Council and Government alike in the matter of future recruitment to services. Government have decided to recruit more largely than before for appointments under Government from communities hitherto unrepresented, or but poorly represented. It is most unfortunate that at such a time the Indian Minister for Education who was a party to this decision of Government and who further belongs to the democratic party in the House, should even consider the question of reducing the scale of Rs. 100—250. Even as it was, the old scale had not attracted candidates in sufficient numbers from backward communities and such candidates will be turned away from the service by the reduction of the scale and the desire of the Council and the Government to employ them in larger numbers will only remain a pious wish. On this ground at least, though not on grounds of justice, equity, honour and prestige, the Council must deprecate this reduction of the scale of pay and urge Government to sanction the approved scale of Rs. 100—250 immediately."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I beg to second the resolution, Sir, and in doing so I do not think any speech is necessary as all the grounds have been covered already by the mover."

The hon. Rao Bahadur A. P. PATRO:—"Sir, the inspection of schools in this Presidency is entrusted to two different classes of officers, viz., the supervisors and the sub-assistant inspectors of schools. In practice the arrangement has been found to be neither economical, nor efficient. Therefore, the reorganization of the subordinate inspecting agency was pressed upon the attention of Government from time to time. After careful consideration, Government have come to the conclusion that the existing class of officers (supervisors of schools and sub-assistant inspectors) employed on inspection duty, excepting the supervisors employed in the Agency tracts, should be abolished and that in future the inspection of elementary schools should be entrusted to a single class of officer who is now designated as sub-assistant inspector. It is true that the salary which was originally suggested by Mr. Knapp was Rs. 100—5—150—10—250; but that was alright when the jurisdiction of the sub-assistant inspector was very large. Now the jurisdiction over which the sub-assistant inspector has to carry on inspection work is reduced. He has now only to inspect about 133 elementary schools as against about 200 and odd schools before. Therefore the work which a sub-assistant inspector has to do now is reduced, his travelling area is also reduced and he is also given now the assistance of an establishment. The work which the supervisors were doing before—the same work which was being done by the sub-assistant inspector or the deputy inspector—was re-modelled, and some of the supervisors were absorbed into the cadre of deputy inspectors, and in order to make up the area, more deputy inspectors were appointed, about 66 in number. Therefore, the jurisdiction of the sub-assistant inspector was reduced, the amount of inspection work he had to do was reduced, and the amount of travelling and inconvenience was also reduced;

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hence his emoluments also were reduced to Rs. 65—5—150 with a selection grade rising up to Rs. 200, for about 25 per cent of the cadre of deputy inspectors who will draw the higher salary. After some years of service, some of the deputy inspectors will be selected and they will be given Rs. 150 in the selection grade. Also, in addition to the reduction in the amount of work, the work that was hitherto being done by the two classes of officers, viz., the supervisors and sub-assistant inspectors, was overlapping and it was also found that in point of efficiency the work was not found to be satisfactory by the department itself.

“Hence the department suggested for the reorganization of the subordinate inspecting agency. Therefore, Government, on consideration, 3-45 p.m. sanctioned the class of deputy inspectors of schools a time-scale of pay of Rs. 65—5—150, and a selection grade Rs. 150—200 to 25 per cent of the cadre. The deputy inspectors will ordinarily be recruited as at present from among their own grades and their functions and duties will be the same as now for the sub-assistant inspectors of schools. The sub-assistant inspector now employed on inspection duty will be absorbed in the deputy inspectors. Their jurisdiction will on the average be 123 elementary schools. When we compare the salaries that are given by the aided institutions, we find that the salaries now given to the deputy inspectors and supervisors are more than what are given in the aided institutions for men of the same qualifications and grades. If, as suggested, the Government Order which has been issued in order to suspend their payment until the matter is finally settled were to be withdrawn, the difficulty would be that most of these officers would be obliged to refund very much. Therefore we do not want to put them in such a difficult position before the reorganization comes into effect. It is said that if they are withdrawn, people will have to go back to their lower salary when the proposed scales are introduced and refund the excess drawn. Unless the higher scale proposed is accepted, it is difficult to withdraw the memorandum. If the memorandum is withdrawn, some of the persons put into this grade will have to refund large sums of money. In order to avoid that difficulty this memorandum was issued to give them a warning. The reason for the reorganization of the whole of the subordinate inspecting agency is this. The two classes of officers were found uneconomic and inefficient. Hence the area was reduced and the responsibility has been reduced thereby; and therefore the salary has been reduced. The number of deputy inspectors has been increased so that more frequent inspections may be made by them and they may be able to be in touch more directly with the elementary schools. For these reasons the whole of the reorganization took place and it is already now in force. If, as suggested, the memoranda were to be withdrawn, there would be considerable difficulty and hardship among the members of this cadre. Therefore the original scheme recommended by Mr. Knapp was indeed wrong. For these reasons we considered the question and put it on a reorganized basis.”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—“I want to say a few words to clear a point. I should like to know whether the scale proposed by Mr Knapp was somewhat better by way of initial salary than it was previously. I am talking from memory. I believe the previous scale of the sub-assistant inspector was Rs 75. I do not know the scale recommended by the Salaries Committee of which I was a member. But the point here is a

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better initial salary to these officers. If that is so, I believe they have not been given the better initial salary which every other Government servant gets as a result of the high prices."

The hon. Rao Bahadur A. P. PATRO :—"I understand that the present salary has been considered to be adequate. A fixed travelling allowance is given. Their jurisdiction is reduced and the work is reduced and therefore this scale has been formed."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"All that has no bearing on the initial salary. The initial salary should attract a fairly efficient class of officers. The real point is that the initial salary of the sub-assistant inspector of schools has not been placed on as good a scale as the other class of officers."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I understand that the present initial salary is Rs. 65. Most of the sub-assistant inspectors are B.A., L.Ts."

The hon. Rao Bahadur A. P. PATRO :—"The recruitment is not limited to B.A., L.Ts. Such of them as are not B.A., L.Ts., are also recruited from the service. A Government Order has been issued."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I am sure nearly 75 or 80 per cent of the cadre contains B.A., L.Ts. There may be some who do not possess that qualification, but their number is very small. They were subsequently imported in the class of sub-assistant inspector of schools. In the majority of cases they are qualified people. They deserve careful consideration at the hands of the Government and I may tell the hon. the Minister that even aided institutions are paying more than Rs. 65 to B.A., L.Ts. The initial salary in the board schools is Rs. 80 and that is sanctioned by the Government because it is offered by the various local bodies. Taking all these considerations, you must raise their initial salary."

Diwan Bahadur R. VENKATARATNAM NAYUDU :—"It has been my misfortune, Sir, while in physical distance so near the hon. the Minister, yet for the last few days our intellectual conflict has been to sharp for an agreement on main points. I feel once again that conflict arising with reference to this resolution of my hon. friend, Rao Bahadur M. C. Raja. Sir, my powers of understanding, when an explanation is offered by the Minister, may be meagre and therefore it is very likely that I have missed many of the valid arguments which my hon. friend has suggested as against the plea urged by my hon. friend, Mr. Raja. But somehow I am led to think that, in the course of his speech, he has made several admissions which have tended to strengthen the position taken by Mr. Raja. Sir, does it matter much that the range of the deputy inspector's work has been curtailed when, in the next breath, we say that he is expected to visit schools more frequently, that he is required to come in contact with the teachers more closely? It is just the same as saying that what he gives up in extensiveness he has to put in in intensity. Then, again, Sir, it has been said that in private schools these B.A., L.Ts. get less. There, again, it has been my misfortune to find that my experience materially differs from the experience of the hon. the Minister. I was in charge of a college for a number of years. Even now I am in very close touch with three or four institutions situated in places where graduates are not scanty. Nevertheless, we are hard put to it at the

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beginning of a year to get graduates with certain qualifications in special subjects unless we gave Rs. 90 or Rs. 100. Consequently, I do not think it will be applicable to a very large area in the educational field that in private schools these B.A., L.T's. get less than is now proposed for them by Government. Again, Sir, it has been stated that B.A., L.T's. are not a *sine qua non* for this work, and that it might be given to persons with lower qualifications. That remark, it seems to me, is an admission that the very supervisors whom we considered inefficient before are after all going to be accepted as efficient now."

The hon. Rao Bahadur A. P. PATRO :—" They were considered inefficient not because they were not graduates."

Diwan Bahadur R. VENKATARATNAM NAYUDU :—" Then I should like to know in what other respects they were considered to be inefficient. Their work is that of educationists and is commensurate with their educational qualifications. It is because their horizon is limited, it is because their experience is somewhat narrow, it is because they are not in touch with the more advanced methods, that they were found to be unsatisfactory. When this question was brought before the Advisory Board I was one of those that were against the abolition of these supervisors as a class. Nevertheless, it was carried. I have no quarrel with those conclusions. All that I wish to say is that, though the nomenclature has been changed, they continue to do the same kind of work and have the same qualification. To reduce the initial salary from Rs. 100 to one of Rs. 65 is, Sir, if I may say so, vouchsafing to the prayer which I made on a former occasion, this answer, viz., a bread was asked and a stone is given."

The hon. Rao Bahadur A. P. PATRO :—" The scheme has been in force already and is going on at the same rate of salary. I have not had anything against that. The second thing is that when the appointments were made to this cadre there were 220 applications to accept this small salary as the Director of Public Instruction told me. That was the way in which we as business men had to do."

Rao Bahadur M. C. RAJA :—" I should like to know from the hon. the Minister for Education how many appointments there were exactly when the 220 applications were received."

The hon. Rao Bahadur A. P. PATRO :—" Sixty-six appointments there were and there were over 200 applications."

Rao Bahadur M. C. RAJA :—" Have all the 66 been filled ? "

The hon. Rao Bahadur A. P. PATRO :—" Thirty had to be filled and the other 36 had to be recruited from people already in the service. So for these places there had been very many applications."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, may I propose an amendment to this resolution, substituting Rs. 75 for Rs. 100, because there are so many people without work ? (Laughter). We should not take advantage of their poverty and take work from them without paying them adequate salary."

The hon. Rao Bahadur A. P. PATRO :—" This is a finance matter and I cannot accept it. The matter has been examined by the Finance Department

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and the Accountant-General and orders have been passed. So this is a matter which should come up at the time of the Budget. Hon. Members may bring this at that time. Nothing can be done now."

Rao Bahadur M. C. RAJA :—" Sir, my task has been very much lightened by my revered leader Diwan Bahadur Venkataratnam Nayudu. Just now the hon. the Minister for Education has said that this matter vests in the hands of the Finance Department. But I should like to say that this very Council has voted this when the Budget came before it last year. This has been sanctioned by the Government of Madras and also by the Government of India. But the Government later on has gone back on our proposals. I am an educationist, and I have been in the service for the last twenty years. I know the work of these sub-assistant inspectors better than the hon. the Minister for Education. The hon. the Minister has said that he has increased the number of inspecting officers from 133 to 200 and odd and that thus the work done by each individual inspecting officer is reduced. There I entirely differ from him. Hitherto the educational officer was not able to do full justice to the work. The hon. the Minister has said that the work of these officers has been lightened by the increase in their number; and at the same time he says that the number has been increased in order to make the visits by these officers more frequent. I agree with him in the latter proposition. But when we raise the number of officers from 132 to 200, do we also decrease the number of days during the year? I suppose the 365 days in the year remain there and the inspecting officer is expected to do work all these days. It is impossible to expect efficient supervision when the officers are given reduced pay. When the number of officers in the other departments of the Government is increased, is their pay reduced? Moreover, the hon. the Minister wants to go back and find out what the aided institutions do in the matter of salaries to their officers. Sir, the Government as employers of labour have to set a better example to the aided institutions and it is not the duty either of this Council or of the Government to go and find out how labour is recruited in other institutions.

" Sir, the Education Department is the most important of all the departments of the Government. It is there that these hon. Ministers are made. It is there the Executive Councillors are made. It is there, Sir, that Presidents and Deputy Presidents like you are made. It is therefore there that you must give the best material. If you recruit cheaper material by offering petty wages at a time like this simply because a number of persons are in need of employment, I dare say you are doing a great deal of injustice to education. It is there that the future citizens of the empire are trained. You must put in picked men there—best M.A.'s, L.T.'s, and such other specialists. When you are introducing reforms in the University, when you are going to put in the best men in the University, and when you are going to have professorships, readerships and so on, why not you go a little lower down and lay the foundation deeper by employing the best material by offering better wages to these men? Recruit better men to train your children and your children's children so that they may be thankful to the ministry. I am not at all convinced by what the hon. the Minister for Education has said. But if the hon. the Minister assures me that he will go into the question and examine it carefully and sympathetically, I shall be thankful to him and withdraw this resolution."

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The hon. Rao Bahadur A. P. PATRO :—" I have no objection to examine the question."

The hon. the DEPUTY PRESIDENT :—" Sympathetically ? "

The hon. Rao Bahadur A. P. PATRO :—" Certainly."

The hon. the DEPUTY PRESIDENT :—" Do you withdraw the resolution ? "

Rao Bahadur M. C. RAJA :—" Only if the hon. Minister says that he will consider the matter sympathetically."

The hon. Rao Bahadur A. P. PATRO :—" I will examine that question. I have every sympathy for the schoolmasters."

Rao Bahadur M. C. RAJA :—" As the hon. the Minister for Education has assured me that he will consider the question sympathetically, I beg leave to withdraw my resolution."

The resolution was by leave withdrawn.

Mr. A. Ranganatha Mudaliyar was then called upon to move his resolution.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I now beg to move under Standing Order No. 34 that the rest of the business before this House be adjourned."

The hon. the DEPUTY PRESIDENT :—" I have already called upon Mr. Ranganatha Mudaliyar to move his resolution."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Under the Standing Order I can move for an adjournment at any time provided I do not interrupt a speech, and my hon. friend has not begun his speech."

The hon. the DEPUTY PRESIDENT :—" I have called upon the hon. Member to move his resolution. Please let him go on."

Irrigation facilities in the famine-affected districts.

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I beg to move—

53. *That this Council recommends to the Government that special steps be taken to improve the irrigation resources of Bellary and the neighbouring districts comprised in the famine zone of the Madras Presidency.*

" Sir, the districts more especially contemplated in the resolution are what are popularly known as the Decan districts. I shall try to show in the course of my speech : firstly, that famines are more or less the normal feature of these districts ; secondly, that they are due to deficient rainfall and to the very limited protected area ; thirdly, that the people have no means to fight the famines during their duration or resist their effects afterwards and that the only remedy lies in the improvement of irrigation resources of these districts ; fourthly, that there are immense possibilities in the districts for the development of their irrigation resources ; fifthly, that the Government have systematically ignored these possibilities and, not only that, but neglected to keep in repairs the irrigation works constructed by the ancient rulers and that the Government can no longer afford to delay the execution of the Tungabhadra and other projects ; sixthly, that there can be no doubt whatever that

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these works would amply protect a large part of the affected districts; and seventhly, that the Government stand to gain very much by the initiation and carrying out of the several projects.

"First of all, I shall take the famines these unfortunate districts have passed through. I am afraid, Sir, famines have become more numerous in the Deccan districts after their cession to the British Government than before, as I will show presently. The first famine after these districts were ceded to the British Government was that of 1802-04. Then there was the famine of 1805-07 which Sir Thomas Munro described as 'beyond all comparison, worse than any before known.' This was followed by the famines of 1824 and 1833. One of the Collectors described the famine of 1833 as being even worse than the one of 1805-07. Twenty years afterwards was the famine of 1854; but, as a matter of fact, the famine began much earlier, that is, in 1852-53. Ten years later the signs of famine began again to manifest themselves, but the Government delayed relief until 1866 when, according to the official reports, 'the poorer ryots, the hired labourers, and especially the Bedar and other low castes, were in a pitiable condition, supporting life upon edible leaves and nuts, pounded tamarind stones and the pulp of the aloe.' People wandered about to seek livelihood in the Mysore and the Nizam's States, and according to official reports 'numbers perished by the way during these migrations, and it was not unusual to find lying on the roads and streets dead bodies of these famished wayfarers.'

"Next, we come to the great famine of 1876-78. I shall not pause, Sir, to describe the gruesome details of that famine, how the Government were at first indifferent to the miseries of the poor people, how they made experiments with the wages and the scale of diet due to them in spite of the advice of the then Sanitary Commissioner, and how people suffered unutterable misery and died in thousands. Next we come to the famine of 1884-85 and then to the famines of 1891-92 and 1896-97. There was scarcity in the year 1900, and, according to the statistical atlas, the years 1904, 1905 and 1907 were very bad years. In 1908 test works had to be started in parts of the Bellary district. The statistical atlas for the next decennium has not yet been prepared; but still I make bold to say that in the decennium ending 1920-21, there have been innumerable bad seasons. We had famine only in 1921-22, and again, Sir, we are face to face with another famine.

"Now it needs no argument to say that these famines are due to deficient rainfall and to the lack of any protected area worth mentioning. In the Bellary and Anantapur districts the rainfall is smaller than anywhere else: Kurnool and Cuddapah do not fare much better. I do not want to take up the time of the House by re-reading the numerous extracts from the District Gazetteer which my friend, Mr. Siva Rao, read here some time ago. Suffice it to say that what is stated in the District Gazetteer is confirmed by later writers who have bestowed special attention to this subject. Mr. Mackenzie has said in his report on the Tungabhadra project:

It is not at all strange that 50 per cent of years on record should prove to be below average, but in the present case, with such a moderate rainfall, the point to be brought out is that any slight deficiency may often mean a bad harvest. It is also sometimes the case that a year of average rainfall does not mean a good harvest owing to failure of rains in a critical month, notably in November.

And he supports his statement by reference to specific years.

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“ Now, Sir, if famines are a reality, one may ask whether the people have resources enough to withstand the effects of famine either in their duration or afterwards. This question was gone into by a commission appointed in regard to one of the famines and this is the conclusion they have come to :

The resources of the people consist briefly of land, cattle, grain, money and ornaments. The possession of land, except so much as is permanently protected by irrigation, is of but little help in a famine year. If the year's investment is either lost, or at best yields an insignificant return, the local money-lender refuses advances until prospects brighten, and there is but a dull market for those who are inclined to sell. The protection of cattle at such a time is difficult, for water and pasture are scanty and fodder runs up to a prohibitive price; it is practically impossible to dispose of animals even at a ruinous loss, and numbers die. It is only the richer class that have any appreciable amount of grain to hoard and the general opinion of district officers is that, as facilities for disposal of stocks are increased by the extension of railways, the tendency to hoard decreases. In the Deccan, compared with the other districts, ornaments are very rare.

“ All this is a fact. In another place the commission have stated that ‘ it may safely be said that, with the exception of a small minority, the land-holders are little better off than the labourers they employ. And after each famine it takes years for the people to recover from its effects, if they ever do at all.’

So much then, Sir, for the capacity of the people to resist famine.

“ It follows that if anything is to be done to mitigate the effects of famine it must be by developing the irrigation sources of the country involved. The question may be asked whether there are possibilities for developing the resources of the districts. Here is, Sir, what Colonel Henderson wrote about the potentialities of the Bellary district which then included the present Anantapur also.

‘ The district of Bellary’ he says, ‘ is almost bountifully supplied with rivers and tributary systems for the irrigation of its soil. It certainly does not possess the advantages inherent to a district situated at the delta of an important river on the sea coast, but it contains within itself all the essential elements of prosperity. The rivers and systems which intersect it may be taken advantage of to a larger extent than now for the supply of works of irrigation.’ ”

The hon. Sir K. SRINIVASA AYYANGAR :—“ May I know to what date it relates ? ”

MR. A. RANGANATHA MUDALIYAR :—“ It dates back to 1853. I hope, Sir, the rivers which existed then continue to exist even now. Kelsall's Manual, published in 1872, mentions a number of projects which at the time would have cost the Government comparatively small sums and yielded good returns also. It mentions, for example, Buckacherla project, Roddam project and Hindupur project which would in the aggregate have cost 16 lakhs of rupees protected thousands of acres and yielded a return of 6 to 7 per cent. The upper Bellary and lower Bellary projects might have been undertaken at a cost under a crore of rupees. But the Government did nothing in these directions. Not only did the Government not construct any new works, but they neglected to keep in repair even the old ones. This neglect I cannot but characterize as culpable. The first serious flood after the districts were ceded to the Company was that of October 1804. Writing to the board on the 4th November of that year, Sir Thomas Munro stated :

In consequence of torrents of rain between 12th and 15th of last month all the rivers and nullahs rose to a height never before remembered, the greater part of the tanks have been destroyed, over every part of the country from Harpanahalle and Chitwel. The nullahs out from rivers have been buried in sand, and in many places so deep that it is difficult to discover the former channels.

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"In May, of the next year, he sent some details of the damage done

In the four ceded districts, 4 dams, 752 tanks, 260 nullahs and 865 wells have been either destroyed or greatly injured.

"Ten years later, in 1817 the monsoon again set in with great violence. Writing in the following year the Collector reported that 117 tanks, 58 channels and 312 wells in Bellary and Anantapur had been either breached or seriously injured. The damage in the Cuddapah district was very great in the taluks north of the Pennar. The river itself burst its banks and it is said to have extended in most places to a width of several miles. Fifty-three tanks in the Rayachoti taluk breached or suffered serious damage. On May 8 and 9 of 1920 there was another violent storm which damaged over a hundred tanks in Rayachoti taluk. In the great storm of 1851,

253 tanks within its influence in Bellary and Anantapur having an ayacut assessed at 2½ lakhs were more or less seriously injured. Channels were swept away or obliterated, much land was ruined by the sand which was deposited on it, the anicut across the Tungabhadra at Ramporam was damaged, tanks at Darogi and Harishi and the Nallacheruvu in Bellary town were breached and the town of Gulim, on the bank of the Hagari in Alur, which was formerly the headquarters of a taluk, was swept away and many lives were lost. In Anantapur district, the destruction was even greater than in Bellary. The great tanks at Singanamala, Anantapur and Dharmavaram were breached.

"I have not been able to get at the precise figures as to the damage done to tanks and nullahs during the several floods in the Kurnool district. There can be no doubt that the district also suffered like its neighbours, though perhaps on a less severe scale.

"The District Gazetteer of Kurnool refers in one place to a number of ruined tanks in the district. Against only one of these there is the remark that it was in ruins before the district came into the possession of the British Government, implying thereby that all the rest went into disrepair after their transfer to the British Government. Now, what did Government do to restore this enormous number of damaged tanks? They laid down a rule which, to say the least, was extremely unjust to the people of the districts and it was this—to restore only such of them as possessed sufficient ayacut to repay the outlay in four years. They did not change their policy even after its disastrous effects became palpably clear. For there was a huge storm in 1851, and again it was directed that 'only those works should be put in order which would cost less than four years revenue to restore'. The only exceptions were Darogi in Bellary and Singanamala in Anantapur. What does this show? It shows that the Government wanted 25 per cent return on the money they spent before they would raise their little finger to afford any relief to the poor people. These tanks were not constructed by the Government of the day, but were given to them by the ancient rulers. Even Marwadis would not claim as much as 25 per cent on the money they lend, and if the Government claim such a usurious return before they would restore these tanks, no wonder, Sir, that the British are called a nation of shopkeepers. What has been the result of all this? Hundreds of tanks and other sources of irrigation went into ruin and, as remarked by the Irrigation Commission:

These five districts—Nellore less than the other or Deccan districts—are more liable to severe visitations of drought than any other part of the Madras Presidency, and to use the words of Mr. Mackenzie:

The tract suffers frequently—it may also be said *habitually*—from insufficient rainfall.

"Then, Sir, the question arises, suppose we establish some irrigation scheme or other, will it really afford protection to the areas concerned? I shall only

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read the official report to answer this query. The several Collectors reported their opinions about the Tungabhadra project, and the extremely conservative and cautious Board of Revenue endorsed their opinions in the following words :

On the whole the Board considers that the Government of India may safely be assured that the Tungabhadra project will give *adequate* protection to the *whole* tract concerned against famine.

So much then, Sir, for the protective value of these projects.

"Next I want to show, Sir, that the Government stand to gain in many ways by initiating these projects. First of all, Sir, they are giving year after year seasonal remissions. Because of the insufficiency of water the Government are forced to grant remissions. I calculated for 45 years from 1866 and the remissions so granted amounted in the five districts (the four ceded districts and Nellore which would benefit by the Tungabhadra project) to $2\frac{1}{4}$ crores of rupees, and if you add the remissions granted before 1866 and since 1910 we should not be wrong, I think, in putting the figure at four or five crores. I venture to submit, Sir, that if the Tungabhadra project is made a reality there will be no occasion for granting most of these remissions. And then, Sir, every time there is a famine or a bad season the Forest Department have to forego the revenue they would otherwise get by way of grazing fees, etc. Here also the Government stand to gain by the initiation of these projects. Again, the Government have to give, every time there is a famine, huge sums under the Agriculturists' Loans Act, and afterwards they find that they cannot collect the amount they have advanced and are obliged to write off either the interest and the principal or the interest alone.

"I take it, Sir, that these sums totalled together will not be found insignificant, and the Government stand to save most of this money if the area under discussion is properly protected by irrigation works.

"And then on the famine operations themselves, it is stated in the Tungabhadra Project Report that as much as over six crores of rupees represent the cost of relief operations, and the losses of revenue due to deficient rainfall in the five districts which would profit by the project during the 26 years beginning, presumably, from 1876. Even if you take away from the above figure the seasonal remissions granted, you may safely take it that the amount spent in these 26 years on famine operations and relief of distress will amount to nearly five crores of rupees. If to this amount you add the expenditure incurred in connexion with relief of distress before 1876 and after 1902, namely, the figures relating to the years 1802, 1804, 1805, 1807, 1824, 1833, 1854, 1866, 1904, 1905, 1907, 1908 and 1921-22, I think, Sir, the figure will run up to several other crores. Most of the expenditure would be saved to Government by the acceptance of my resolution and giving effect to it.

"Sir, I crave the indulgence of the hon. the Deputy President and of the House for exceeding my time-limit.

"The enormous loss of human life may next be taken into account. In the famine of 1863-64 it is stated that people perished by the way during their migrations and that it was not unusual to find lying on the roads and streets the dead bodies of the famished wayfarers. The loss of life in the years 1876 and 1878 was of course very considerable. It is said that as much as 17 to 20 per cent in Bellary, Cuddapah and Anantapur, and 26 per cent in

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Kurnool died, during that famine. The decrease in the population due to famine in these districts between the Census of 1871 and that of 1881 was no less than 8 lakhs and odd. I shall not pursue that subject further. It will suffice to say that while the population of the Presidency in 1921 shows an increase of 35 per cent over that of 1871, that of the Deccan districts shows a decrease of 1 per cent and Bellary even as much as 2·1 per cent. In other words, it means, Sir, that as many as 1,440,000 people have died during these fifty years, purely from economic causes.

"As regards the loss of cattle, it is stated in the official records relating to the famines of 1802 and 1804 that great numbers of cattle employed in the transport of grain perished. I think they fared equally badly in the famine of 1807 which was worse than any known before. As regards the cattle mortality in 1854, Mr. Pelly, the then Collector, estimated that four-fifths of the cattle had perished and the villages were said to be strewn with their bones. Again, in the famine of 1866, the mortality among cattle was estimated at 35,000 head worth $9\frac{1}{2}$ lakhs of rupees. In the famines of 1876 and 1878 the loss of cattle should have been enormous. Even so late as in the famine of 1891 and 1892 it is said that the loss of cattle was very great. In some taluks one-fourth and even one-third of the breeding and young stock died and there was a general loss of 8 per cent of the tilling cattle. In the famine of 1896 and 1897, the cattle, as usual, suffered severely. Though in May 1897 all the forests of the district were thrown open to free grazing, a measure which was calculated to have benefited 60,000 head, the cattle census of 1897 showed 97,000 head of cattle and 61,000 sheep and goats less than that of 1895.

"Sir, I have already referred to a few of the projects proposed in the past for execution; some of them are likely to pay a reasonable return and prove to be paying concerns. Mr. Kelsel refers in his Manual at page 230 to some of the schemes initiated but left unfinished by the previous rulers. He refers to 'the remains of three anicuts at Moodel-hutte, Soogur and Mancherla. The first and third are supposed to have been commenced under the former Hindu Government, and to have been left unfinished on account of political disturbances. Regarding the one at Mancherla Colonel Henderson has recorded that it is in good order and principally wants an irrigation channel.' Why should not Government take up and finish those works in their régime of 'peace and prosperity'. In the earlier part of my speech, I referred to projects like Bukkapatnam, Roddam and Hindupur, which were expected to yield at the time as much as 6 to 7 per cent. These may also be considered. A dam may perhaps be put across Hagari between Byravanitippa of Kalyandrug and Tallikeru of Rayadurg taluk. This would bring a large area under irrigation and protect Rayadurg taluk to a great extent. Again improvements to Basavangudi channel in Hospet are possible, and if carried out will assure a better supply to the Kamalapuram tank and bring an additional ayacut under irrigation. Within the limits of the taluks of Hadagalli and Harpanahalli is the Sagi Reserve, and I am told that if two hills there are connected by a bund, a large and useful tank may be formed. And last, but most important of all, is the Tungabhadra project, estimated to cost 17 crores and give an income of 3·5 per cent. Now, I suppose it will cost half as much again and the return will be only about 2 per cent. Even so, is it not incumbent upon the Government to undertake this scheme? Would they not save themselves the loss of revenue

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due to seasonal remissions, due to their frequently throwing open all reserves for free grazing, due to remission of principal and interest under the Agriculturists' Loans Act and save also the millions they are now obliged to spend fairly often on their famine operations? Have the Government no consideration for the enormous loss of life which is now taking place both among men and cattle? Is it not a factor which should strongly weigh with them? The Tungabhadra scheme, Sir, may possibly be made a little cheaper by confining its scope to the more essential objects and by lopping off the less important portions by omitting the costly reservoir in it and by dropping the proposal to take the supply to Nellore by a very expensive route. The scheme, thus modified, may be worked together with the Kistna Reservoir project, and if these two are treated as parts of the same unit, it will be possible, I learn, to evolve a combined scheme which has a reasonable chance of proving remunerative.

"I wish only to say in conclusion the Government have already delayed the matter far too long, and I say, Sir, it will not do for them to delay any further. Let them not pursue the short-sighted policy they have hitherto followed. The futility of such a policy cannot better be expressed than in the words of their own official, a Collector of the district. Here is what he said in 1886 in regard to practically the Tungabhadra project then known as upper Bellary and lower Bellary projects.

The estimated amount for these works is (without considering the reservoirs for the second crop) 95 lakhs of rupees, or under a million sterling. The interest on this sum if guaranteed by Government at 5 per cent, would amount to Rs. 4,75,000 or £47,500. In this district in 1854 there was actually lost four times that amount, viz., by hurried expenditure on famine roads, £130,000, and by remission on waste lands £60,000, to say nothing of the loss to the people of their crops and cattle."

"I need not say anything more to commend this proposal for the acceptance of this House."

Mr. M. SURYANARAYANA PANTULU :—"I second it, Sir."

SAIYID MUHAMMAD PADSHA SAHIB :—"I have great pleasure in rising to support this motion. After the able and pathetic appeal made by the hon. mover, after the graphic description given by him of the disappointing state of things in the Ceded Districts, and after all the arguments that have been urged with such force and supported by authorities, both modern and ancient, it is not necessary for me to supplement him with any remarks of mine. There is no denying the fact, Sir, that the Deccan districts in general, and Bellary and Anantapur in particular, are subject to frequent visitations of famine. All that the Government have hitherto been doing in fighting these visits have been by way of providing relief long after the famine had worked great hardship on the inhabitants. Even the little relief which the Government have been providing for the people who were undergoing the miseries and privations of famine has always been long delayed. The Government has been proverbially dilatory in coming forward to provide adequate relief. It takes months before a district visited with famine is declared to be a famine-affected area by the authorities, and, even after that is done, relief works are not started at once. Test works are started to begin with, and they are kept for weeks and weeks together, and just when the rigours of famine scarcity have been undergone by the people, the Government starts the relief works. So, Sir, the way in which the Government have been handling the situation and trying to provide remedy for this chronic evil has been very unsatisfactory. Every famine that visits these

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districts leaves them poorer and less in a position to resist its subsequent visits. My hon. friend, the mover, has stated that the districts are not altogether devoid of natural irrigation resources. Only the authorities have not availed themselves of these resources. The result is that people have still to depend upon the monsoons which are always very disappointing. In my opinion, Sir, the Government, instead of trying to spend large sums of money in affording relief which comes always late, and instead of trying to provide relief from time to time and thus to tide over the momentary difficulties, would be well advised in trying to bring the lands under some sort of improvement, and the best way would be to improve the irrigation resources in the districts. I heartily support the resolution."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I now beg to move that under Standing Order No.34 the meeting be adjourned to the 27th February."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I beg to second it."

The hon. Sir K. SRINIVASA AYYANGAR :—" I have not the slightest objection to it, Sir."

Mr. A. RANGANATHA MUDALIYAR :—" May I know, Sir, what the effect of this motion will be upon my resolution? Will it be to put off this resolution altogether, or will there be a non-official day at the next meeting, on which the discussion on this resolution will be continued? "

The hon. the PRESIDENT :—" On the next non-official day, this motion will take precedence over other motions, and it will begin exactly where it may be left to-day."

Mr. A. RANGANATHA MUDALIYAR :—" May I know, Sir, if there will be a day for non-official business in this month, that is, in the next meeting? "

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I was under the impression that on the day that is appointed for the presentation of the Budget, the presentation itself would not take up the whole time of the House for the day. There being no other Government business that day, and as we know from past experience that the presentation of the Budget by the hon. the Finance Member will not take more than a couple of hours, I thought that the general discussion on the resolution of my hon. friend, Mr. Ranganatha Mudaliyar, could be continued on that day."

The hon. the PRESIDENT :—" As for Mr. Ranganatha Mudaliyar's question as to when this resolution would come up, I can only give the answer 'when non-official business is next taken up.' As to when non-official business will be taken up is more than what I can say at this stage.

" Hon. Members are already aware that the Budget for the coming year will be presented on Tuesday, the 27th February, and His Excellency the Governor has allotted the following days for the remaining stages of the Budget :—

General discussion on the } 1st, 2nd and 3rd March.
Budget, 3 days.

Voting of demands for } 12th to 17th March, 19th to 21st March
grants, 10 days. } and 23rd March. The last day is
intended for the final voting of grants,
including supplemental demands as the
result of Budget discussion.

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[The President]

“I hope this information will be of some use to hon. Members in forecasting their programmes.”

MR. A. RANGANATHA MUDALIYAR :—“The hon. the Leader of the Opposition approached me on this matter and said the 26th instant would be allotted for non-official work and suggested that this meeting might be adjourned to that date. But now I do not understand what his present move in the matter is, and I do not know whom he is opposing. If there is going to be no non-official day at all, I leave myself entirely in your hands and I submit that the matter covered by my resolution is a very important one. From this motion I understand that there may not be any non-official day in the next meeting, and I find myself in a tight corner.”

The hon. the PRESIDENT :—“I will put Mr. Ramachandra Rao's motion to the House, and the hon. Member (Mr. Ranganatha Mudaliyar), can vote against it” (Laughter).

MR. A. RANGANATHA MUDALIYAR :—“I know that I can do that, Sir, but you can easily understand as well as I do what the result of the voting is likely to be. But anyhow, I want to place my difficulty before you and I place myself entirely in your hands.”

The hon. the PRESIDENT :—“I am very sorry for the hon. Member. He will quite see that I really cannot do anything. I must put the motion to the House, and any understanding that there might be regarding it, is really a thing with which I could have no concern. I have already given all the information I had regarding the probable course of events when we meet next. The chances are that we may have some days for non-official work, but really it is not a thing on which I can say anything definite or that I have any right to commit myself.”

MR. R. K. SHANMUKHAM CHETTIYAR :—“Before the proposition is put to the vote, I would just like to say a word, Sir. 27th February has been decided for the presentation of the Budget. We all know that people would be rather excited at the time when the Budget is presented, and the atmosphere in the House would not be quite convenient for the effective discussion of non-official business. So I would suggest that we do meet on the 26th instant, that is, on the day previous to the presentation of the Budget, and that that day (26th) may be set apart for non-official business. So, I would like to move an amendment to the motion of Mr. Ramachandra Rao, to the effect that this meeting do adjourn to 26th February 1923.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“I second it.”

The hon. the PRESIDENT :—“The amendment before the House is—

That in place of the words ‘27th February’ the words ‘26th February’ be inserted.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—“I only wish to add one word, Sir. I have absolutely no objection to accept the amendment. But in answer to my friend Mr. Ranganatha Mudaliyar, I may only say that at one time I understood the Secretary to mean that the 26th instant was fixed as the day on which the Council would meet next, and that it was something like a provisional calendar. So I informed my friend that probably the 26th would be the day for the next meeting. But afterwards I understood that there was some change in the dates and so I moved for the 27th February. Anyhow, I am quite willing to accept the amendment.”

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The amendment was put to the House and carried.

The original motion of Mr. Ramachandra Rao as amended was then put to the House and carried ('That the meeting be adjourned to the 26th February.')

The hon. the PRESIDENT:—"Before rising I may inform the House that as regards the Committee about the Deputy President (those Members of this Council who are also members of that Committee may like to know) that I have fixed 3-30 p.m. to-morrow for its meeting. I hope it will be convenient to all hon. Members who are members of that Committee to attend it, and that it may be possible to finish the proceedings in time for them to leave this place in the evening."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I am extremely sorry, Sir, that I have arranged to leave this evening in view of the fact that this meeting would be adjourned."

The hon. the PRESIDENT:—"We shall take our chance, and I am sure that those who are not present will be glad to receive the report sent to them in a final shape."

The House then adjourned to meet again on the 26th instant at 11 a.m.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

APPENDIX A.

[Vide page 1724 supra.]

Proceedings of the twenty-second meeting for 1922-23 of the Standing Finance Committee of the Madras Legislative Council held at Fort St. George on Saturday, the 27th January 1923.

P R E S E N T :

- (1) The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
 - (2) M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR Avargal.
 - (3) " Rao Bahadur O. TANIKACHALA CHETTIYAR Avargal.
 - (4) " Rao Bahadur T. A. RAMALINGA CHETTIYAR Avargal.
 - (5) " A. RANGANATHA MUDALIYAR Avargal.
 - (6) Khan Bahadur MUHAMMAD USMAN SAHIB.
 - (7) Dr. P. SUBBARAYAN.
 - (8) Mr. A. M. MACDOUGALL.
 - (9) Mr. C. E. WOOD.
- (Mr. W. HUTTON was also invited to be present.)

Read again scheme relating to the improvements to the Cooum River—Construction of the Harbour-Cooum canal (estimated cost about 14 lakhs). [The scheme was discussed in the meeting of the 18th January 1923 and was postponed for consideration.] Mr. Hutton, Secretary to Government, Public Works Department, who was invited to be present, explained the scheme to the Committee.

The Committee were unable to recommend expenditure on the scheme without further expert enquiry. They would recommend that the question

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be exhaustively examined in its harbour, sanitary and railway aspects and that a sum of Rs. 20,000 be provided (under class I) for the preliminary expenses of such an enquiry. If necessary, a supplementary grant may be moved in the course of the year 1923-24 for the commencement of work on the lines that may be approved.

2. *Read* scheme relating to the electric installation for the new chemistry block of the Presidency College, Madras (estimated cost Rs. 35,000).

The Committee would like to have an explanation of the necessity for the estimate, especially the items of lift and motor generator. Meanwhile, they would recommend a provision of Rs. 15,000 in class I.

3. *Read* scheme relating to the increase in the pay of Assistant Professors of the Law College, Madras. [The Assistant Professors had submitted a memorial praying that their pay might be raised from Rs. 250 per mensem to Rs. 400 per mensem.]

The Committee recommended an increase to Rs. 350 per mensem, the scheme being included in the budget for 1923-24 (class I).

4. *Read* scheme for the housing of clerks in the Government Farm, Saidapet. The scheme placed before the Committee related to the construction of 160 sets of quarters at a cost of 3.67 lakhs.

The Committee recommended a provision of 1.50 lakhs in the loan budget for 1923-24 on the understanding that this should be expended on *completing* a small number of clerks' houses rather than on making a commencement on a larger number.

5. *Read* scheme relating to grants (40 lakh) to the Agency District Board for communications.

The Committee recommended acceptance of the proposal, but did not regard it as urgent (class III).

6. *Read* scheme relating to the provision of funds on account of the Provincial and British Empire Exhibitions.

The Committee recommended a provision of 1.50 lakhs in class I for the London Exhibition. In view of the present financial position, the Committee by a majority did not advise any expenditure on a local exhibition.

7. *Read* scheme relating to the travelling allowance to policemen travelling on duty by motor bus.

The Committee considered that the case was sufficiently provided for by the new travelling allowance rules (rule 26).

8. *Read* scheme relating to the acquisition of land near the Ice House for the Medical School for Women in Madras (cost about .90 lakh).

The Committee was in favour of the scheme.

9. *Read* again scheme relating to the improvements to the water-supply in the Coimbatore Agricultural College estate (cost Rs. 14,964 of which a sum of Rs. 11,500 will be spent in 1922-23).

The scheme was previously discussed at the meeting of the 20th January 1923.

The Committee recommended acceptance of the proposal subject to a charge for water being added to the rent of quarters on the estate.

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10. *Supplementary demands.*—The Committee accepted the proposal for the following supplementary demands:—

	Amount of demand. RS.
(i) 32. MEDICAL—on account of refund of contributions paid by the Madura District Board and Municipality towards the headquarter hospital	11,262
(ii) 22. GENERAL ADMINISTRATION—on account of payment of arrears of war allowances to copyist establishment in the Revenue Department	32,140

11. *Supplementary demand.*—In regard to the proposal for a supplementary demand of 10 lakhs under “47. Miscellaneous” on account of payments to persons who suffered during the Mappilla rebellion, the Committee were evenly divided between acceptance and postponement.

12. The following papers were placed on the table:—

(1) G.O. No. 24, Law (Education), dated 9th January 1923, sanctioning the constitution of District Secondary Education Boards, and

(2) G.Os. Nos. 102 and 103, Finance, dated 26th January 1923, sanctioning additional allotments (totalling Rs. 28,000) on account of Contract contingencies for the High Court, and Civil and Sessions Courts.

FORT ST. GEORGE,
29th January 1923.

C. G. TODHUNTER.

APPENDIX B.

[Vide page 1724 *supra*.]

Proceedings of the twenty-third meeting for 1922-23 of the Standing Finance Committee of the Madras Legislative Council held at Fort St. George on Monday, the 29th January 1923.

P R E S E N T :

- (1) The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
 - (2) M.R.Ry. Rao Bahadur O. TANIKACHALA CHETTIYAR Avargal.
 - (3) „ Rao Bahadur T. A. RAMALINGA CHETTIYAR Avargal.
 - (4) „ A. RANGANATHA MUDALIYAR Avargal.
 - (5) Khan Bahadur MUHAMMAD USMAN SAHIB.
 - (6) Dr. P. SUBBARAYAN.
 - (7) Mr. A. M. MACDOUGALL.
 - (8) Mr. C. E. WOOD.
- (M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR did not attend.)

Read proposals relating to the budget provision in 1923-24 for grants to local bodies.

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In addition to the provision included on account of the standing sanctions (both direct and indirect) for local bodies' services totalling 105.72 lakhs in Part I of the budget for 1923-24, the Finance Department suggested an allotment of 26.95 lakhs to be distributed as follows :—

(a) A sum of 11.95 lakhs for the following objects :—

	RS.
Primary schools—Construction of school buildings ...	59,000
Secondary schools—Construction of school buildings.	50,000
Grants towards the net cost of schools	23,850
Medical buildings	29,000
Grants towards the pay of medical officers	3,20,000
Provincialization of the offices of District Medical and Sanitary officers.	32,800
Payments for Public Health purposes	49,000
Grants for water-supply and drainage schemes ...	5,00,000
Civil works—Payments out of resumed grants ...	28,000
Grants for roads and bridges	1,00,000
Total ...	11,94,650

(b) A further 15 lakhs to be entered as lump provision for distribution by the Local Self-Government Department in such manner as they think most necessary for the time being, on the understanding that it shall be applied in the first instance to the repayment of amounts overdrawn by the various local bodies from the treasury before any new expenditure is embarked upon.

2. The Committee recommended that the total provision should be raised from 132.67 lakhs to 140 lakhs, which sum should, besides providing for standing sanctions (both direct and indirect) on account of local bodies' services included in Part I, include (a) grant to the Malabar District Board to repair damage done by the Mappilla rebellion, (b) the amounts required for wiping off the deficits of the various local bodies as soon as these were ascertained, and (c) compassionate grants to poorer local bodies, the balance to be allotted to new works at the discretion of the Local Self-Government Department. The Committee also suggested that, in the case of all deficit local bodies, taxes should be increased to the maximum rates as a condition of making good the deficit.

FORT ST. GEORGE,
31st January 1923.

C. G. TODHUNTER.



